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NEW DELHI, SATURDAY, AUGUST 13, 1983/SRAVANA 22, 1905

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, 8 जुलाई, 1983

का.आ. 3121.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में, आयकर अपील अधिकरण के निम्नलिखित कार्यालयों को उन उपनियम के प्रयोजनों के लिए अधिसूचित करती है:—

अपील

1. आय-कर अधिकरण, दिल्ली न्यायपीठ।
2. आय-कर अपील अधिकरण, अहमदाबाद न्यायपीठ।
3. आय-कर अपील अधिकरण, पटना न्यायपीठ।

[सं. ई. 11012(1)/81-प्रशा. 3 (वि.का.वि.)]

एस० एन० डी. धीर, सचिव

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Legal Affairs)

New Delhi, the 8th July, 1983

S.O. 3121.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Income-tax Appellate Tribunal, for the purposes of that sub-rule.

1. Income-tax Appellate Tribunal, Delhi Benches.
2. Income-tax Appellate Tribunal, Ahmedabad Benches.
3. Income-tax Appellate Tribunal, Patna Bench.

[No. E-11012(1)/81-Admn. III(LA)]

S. N. DHIR, Undtr Secy.

गृह मंत्रालय

नई दिल्ली, 25 जुलाई, 1983

का.आ. 3122.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत व्यक्तिगतियों की बेखली) अधिनियम, 1971 की धारा 30 द्वारा प्रदत्त शक्तियों का

प्रयोग करते हुए, और भारत सरकार के गृह मंत्रालय की अधिसूचना सं० का० आ० 561(अ) तारीख 22 सितम्बर, 1979 को, उन बातों के सिवाय जिन्हें किया गया है या करने का सोच किया गया है, अधिकार करते हुए, नीचे की सारणी के स्तम्भ 1 में उल्लिखित अधिकारी को जो तालिका के राजपत्र में अधिकारी की पंक्ति के समस्त अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है, जो उक्त सारणी के स्तम्भ 2 में तो तत्स्थानों प्रविष्टि में विनिर्दिष्ट सरकारी स्थानों की बाबत अपने अधिकारिता की स्थानीय सीमाओं के भीतर, उक्त अधिनियम द्वारा या उसके अधीन संपदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग करेगा और उन पर अधिरोपित कर्तव्यों का पालन करेगा।

सारणी

अधिकारी का पदनिर्धान	सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
प्रशासनिक अधिकारी (पी० 11) दिल्ली विद्युत् प्रदाय संस्थान, दिल्ली।	दिल्ली विद्युत् प्रदाय संस्थान दिल्ली के प्रशासनिक नियंत्रण के अधीन भूमि, भवन और अन्य स्थान।

[फा० सं० यू-13021/7/83-दिल्ली (डिस्क-3)]

आर० वी० पिल्लै, संयुक्त सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 25th July, 1983

S.O. 3122—: In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised occupants) Act, 1971, (40 of 1971) and in supersession of the notification of the Government of India in the Ministry of Home Affairs No. S.O. 561(E), dated 22nd September, 1979, except as respect things done or omitted to be done, the Central Government hereby appoints the Officer mentioned in column-1 of the Table below, being Officer of equivalent to the rank of Gazetted Officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of the jurisdiction in respect of public premises specified in the corresponding entry in column 2 of the said Table.

TABLE

Designation of Officer	Categories of public premises and local limits or jurisdiction
1	2
The Administrative Officer (P.II). The Delhi Electric Supply Undertaking, Delhi.	Lands, buildings and other premises under the administrative control of the Delhi Electric Supply Undertaking, Delhi.

[F.No. U-13021/7/83-Delhi (D-III)]

R. V. PILLAI, Jt. Secy.

(कामिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 30 जुलाई, 1983

का० आ० 3123—राष्ट्रपति संविधान के अनुच्छेद 309 और अनुच्छेद 148 के खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय लेखा परीक्षा और लेखा विभाग में नियोजित व्यक्तियों के संबंध में भारत के नियंत्रक-महालेखापरीक्षक से परामर्श करने के पश्चात् साधारण भविष्य निधि (केन्द्रीय सेवा) नियम, 1960 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

- (1) इन नियमों का संक्षिप्त नाम साधारण भविष्य निधि (केन्द्रीय सेवा) छठा संशोधन नियम, 1983 है।
(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।
- साधारण भविष्य निधि (केन्द्रीय सेवा) नियम 1960, के (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) नियम 5 के उपनियम (3) के स्थान पर निम्नलिखित उपनियम रखा जाएगा अर्थात् :—

“(3) प्रत्येक नामनिर्देशन प्रथम अनुसूची में दिए गए प्ररूप में किया जाएगा।”

3. उक्त नियमों में प्रथम अनुसूची में नामनिर्देशन के चार प्रारूपों के स्थान पर निम्नलिखित नामनिर्देशन का प्रारूप रखा जाएगा, अर्थात् :—

“नामनिर्देशन का प्रारूप

मे, *..... नीचे उपवर्णित निधि में मेरे नाम जमा रकम के संदेय होने से पूर्व अथवा ऐसी दशा में जब वह संदेय हो चुकी हो, किन्तु संवत् न की गई हो मेरी मृत्यु हो जाने पर उक्त रकम प्राप्त करने के लिए नीचे वर्णित व्यक्ति (व्यक्तियों) को जो साधारण भविष्य निधि (केन्द्रीय सेवा) नियम, 1960 के नियम 2 में यथापरिभाषित मेरे कुटुम्ब का/के सदस्य है/हैं/मेरे कुटुम्ब का/के सदस्य नहीं है/हैं नामनिर्दिष्ट करता हूँ ।

नामनिर्देशिनी (नामनिर्देशितियों) का नाम और पूरा पता	अभिदाता के साथ नातेदारी	नामनिर्देशिनी (नामनिर्देशितियों) की आयु	प्रत्येक नामनिर्दे- शित को संदेय अंश	ऐसी आकस्मिक- ताएं जिनके होने पर नामनिर्देशन अविधिमान्य हो जाएगा	ऐसे व्यक्ति यदि (व्यक्तियों) के शित नियम 2 यदि कोई हो में यथाउपबंधित नाम पते और कुटुम्ब का सदस्य नातेदारी जिन्हें नहीं है तो कारण नामनिर्देशिनी का उपदर्शित करें अधिकार उस दशा में सन्निहित हो जाएगा जब उस की मृत्यु अभिदाता से पहले हो जाए	नामनिर्दे- शित नियम 2
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1	2	3	4	5	6	7
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तारीख ----- 19

स्थान-----

अभिदाता के हस्ताक्षर

स्पष्ट अक्षरों में नाम -----

पदाभिधान -----

ऐसे वो साक्षी जिनके समक्ष हस्ताक्षर किए गए :—

नाम और पता

हस्ताक्षर -----

1.

2.

(प्रारूप का पृष्ठ भाग)

कार्यालय अध्यक्ष/बेतन और लेखा कार्यालय के उपयोग के लिए स्थान

श्री/श्रीमती/कुमारी ----- द्वारा नामनिर्देशन -----

पदाभिधान ----- कार्यालय अध्यक्ष/बेतन और लेखा अधिकारी के हस्ताक्षर

नामनिर्देशन प्राप्त होने की तारीख ----- पदाभिधान -----

तारीख -----

अभिदाता के लिए अनुदेश :

*(क) अपना नाम लिखिए ।

(ख) निधि के नाम को उपयुक्त रूप से पूरा किया जाए ।

(ग) साधारण भविष्य निधि (केन्द्रीय सेवा) नियम, 1960 में “कुटुम्ब” शब्द की जो परिभाषा दी गई है उसे नीचे दिया जा रहा है ।

“कुटुम्ब” से अभिप्रेत है—

(i) पुरुष अभिदाता की दशा में अभिदाता की पत्नी या पत्नियाँ और सन्तानें तथा अभिदाता के किसी मृतक पुत्र की विधवा या विधवाएं और संतानें :

परन्तु अभिदाता यदि यह साबित कर देता है कि उसकी पत्नी उससे न्यायिक रूप से पृथक् हो गई है अथवा वह उस समुदाय की जिसकी कि वह है, रुढ़िजन्य विधि के अधीन उससे भरण-पोषण प्राप्त करने की हकदार नहीं रह गई है तो उसे तब से जब तक कि अभिदाता लेखा अधिकारी को बाद में लिखित रूप में यह सूचित न करे कि उसे उसी रूप में माना जाता रहेगा, यह समझा जाएगा कि वह उन मामलों में जिनका संबंध इन नियमों से है, अभिदाता के कुटुम्ब की सदस्य नहीं रह गई है ;

(ii) स्त्री अभिदाता की वशा में अभिदाता का पति और संतानें तथा अभिदाता के किसी मृतक पुत्र की विधवा या विधवाएं और संतानें :

परन्तु यदि कोई अभिदाता लेखा अधिकारी को लिखित रूप में सूचना देकर अपने कुटुम्ब से अपने पति को उपवर्जित करने की अपनी इच्छा व्यक्त करती है तो पति को तब से जब तक कि अभिदाता बाद में वह सूचना लिखित रूप में रह न कर दे यह समझा जाएगा कि वह उन मामलों में जिनका संबंध इन नियमों से है अभिदाता के कुटुम्ब का सदस्य नहीं रह गया है ।

टिप्पण :—संतान से धर्मज संतान अभिप्रेत है और उसके अन्तर्गत जहां अभिदाता को शासित करने वाली स्वीय विधि द्वारा दत्तकों को मान्यताप्राप्त है दत्तक संतान आती है ;

(घ) स्तंभ 4—यदि केवल एक ही व्यक्ति को नामनिर्देशित किया जाता है तो उस नामनिर्देशिती के सामने "सम्पूर्ण" लिखा जाएगा। यदि एक से अधिक व्यक्तियों को नामनिर्देशित किया जाता है तो प्रत्येक नाम-निर्देशिती को संक्षेप अंश इस प्रकार विनिर्दिष्ट किया जाएगा जिससे भविष्य निधि की पूरी रकम उनके अन्तर्गत आ जाए।

(ङ) स्तंभ 5—इस स्तंभ में नामनिर्देशिती (नामनिर्देशितियों) की मृत्यु को आकस्मिकताओं के रूप में वर्णित नहीं किया जाएगा ।

(च) स्तंभ 6—अपना नाम न लिखें ।

(छ) अन्तिम प्रविष्टि के नीचे खाली स्थान में एक रेखा खींच दें जिससे आपके हस्ताक्षर करने के पश्चात् उस स्थान में कोई नाम न लिखा जा सके ।

टिप्पणी :—यदि नामनिर्देशन करते समय अभिदाता का कोई कुटुम्ब नहीं था और उसके पश्चात् उसका कुटुम्ब हो जाता है तो यह नामनिर्देशन अविधिमान्य हो जाएगा ।”

[फा० सं० 20(10)/81-पेंशन एक-जी० पी० एक०]

एस० आर० अहीर, उप सचिव,

टिप्पणी :— सामान्य भविष्य-निधि (केन्द्रीय सेवा) नियम, 1960 दिनांक 1-12-1960 के एस० ओ० 3000 के रूप में प्रकाशित किए गए थे । इन नियमों का तीसरा पुनर्मुद्रण (30-11-1978 तक संशोधित) सन् 1979 में छपा था । इन नियमों में बाद की निम्नलिखित अधिसूचनाओं द्वारा संशोधन किया गया था :—

1. एफ 13(8)/77-ई० बी० (बी) दिनांक 13-12-1978
2. एफ 13(5)/78-ई० बी० (बी) दिनांक 23-4-1979
3. एफ 13(11)/78-ई० बी० (बी) दिनांक 30-5-1979
4. एफ 13(7)/78-ई० बी० (बी) दिनांक 18-6-1979
5. एफ 17(5)-ई० बी० (बी)/78 दिनांक 18-6-1979
6. एफ 19 (15)-पेन 76-जी० पी० एफ० दिनांक 9-8-1979
7. एफ 9(2)-ई० बी० (बी) पेन 78-जी० पी० एफ० दिनांक 13-11-1979
8. एफ 10(10) पेन/79-जी० पी० एफ० दिनांक 3-3-1980
9. एफ 20(22)-ई० बी० (बी) पेन/79-जी० पी० एफ० दिनांक 18-4-1980
10. एफ 13(6)-पेन 79-जी० पी० एफ० दिनांक 18-4-1980
11. एफ 16(2)-पेन/79-जी० पी० एफ० दिनांक 12-6-1980
12. एफ 11(1)-पेन/77-जी० पी० एफ० दिनांक 1-10-1980
13. एफ 16(3)-पेन/79-जी० पी० एफ० दिनांक 13-10-1980
14. एफ 10(2)-पेन 81-जी० पी० एफ० दिनांक 21-12-1981
15. एफ 13(1)-पेन/82 दिनांक 8-9-1982
16. एफ 13 (3)-पेन/82 जी० पी० एफ० दिनांक 30-4-83
17. एफ 19(2)-पेन/80-जी० पी० एफ० दिनांक 10-5-83
18. एफ 16(3)-पेंशन/77 जी० पी० एफ० दिनांक 19-5-83
19. एफ 13 (2)-पेंशन/80-जी० पी० एफ० दिनांक 20-5-83
20. एफ 19(1)-पेंशन/83-जी० पी० एफ० दिनांक 20-5-83

MINISTRY OF HOME AFFAIRS
(Department of Personnel and Administrative Reforms)
 New Delhi, the 30th July, 1983

S.O. 3123.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the General Provident Fund (Central Services) Rules, 1960, namely :—

1. (1) These rules may be called the General Provident Fund (Central Services) (Sixth Amendment) Rules, 1983.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the General Provident Fund (Central Services) Rules, 1960 (hereinafter referred to as the said rules) for sub-rule (3) of rule 5, the following sub-rule shall be substituted namely, :—
 “(3) Every nomination shall be made in the Form set forth in the First Schedule.”
3. In the said rules, in the First Schedule, for the four forms of nomination the following form of nomination shall be substituted, namely :—

“FORM OF NOMINATION

Account No. _____

I, _____ hereby nominate the person(s) mentioned below who is/are member(s)/non-members of my family as defined in rule 2 of the General Provident Fund (Central Services) Rules, 1960, to receive the amount that may stand to my credit in the Fund as indicated below, in the event of my death before that amount has become payable or having become payable has not been paid.

Name and full address of the nominee(s)	Relationship with the subscriber	Age of the nominee(s)	Share payable to each nominee	Contingencies on the happening of which the nomination will become invalid	Name, address & relationship of the person(s) if any to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber	If the nominee is not a member of the Family as provided in rule 2, indicate the reasons
1	2	3	4	5	6	7

Dated this _____ day of _____ 19____ at _____.

Signature of the subscriber

Name in Block Letters _____

Designation _____

Two witnesses to signature

Name and Address

Signature.

1.

2.

(REVERSE OF THE FORM)

Space for use by the Head of Office/Pay & Accounts Office

Nomination by Shri/Smt./Kumari _____

Designation _____

Date of receipt of nomination _____

Signature of _____

Head of Office/Pay and Accounts Officer,

Designation _____

Date _____”

Instructions for the subscriber

- (a) Your name may be filled in.
- (b) Name of the fund may be completed suitably.
- (c) Definition of term 'family' as given in the General Provident Fund (Central Services) Rules, 1960 is reproduced below :—

Family means—

- (i) in the case of a male subscriber, the wife or wives and children of a subscriber, and the widow, or widows, and children of a deceased son of the subscriber, provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently intimates in writing to the Accounts Officer that she shall continue to be so regarded ;
- (ii) in the case of a female subscriber, the husband and children of a subscriber, and the widow or widows and children of a deceased son of a subscriber, provided that if a subscriber by notice in writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing.

Note:—Child means a legitimate child and includes an adopted child where adoption is recognised by the personal law governing the subscriber.

(d) Col. 4. If only one person is nominated the words 'in full' should be written against the nominee. If more than one person is nominated, the share payable to each nominee over the whole amount of the Provident Fund shall be specified.

(e) Col. 5. Death of nominee(s) should not be mentioned as contingency in this column.

(f) Col. 6. Do not mention your name.

(g) Draw line across the blank space below last entry to prevent insertion of any name after you have signed.

Note : A nomination shall become invalid in case of a subscriber who had no family at the time of nomination subsequently acquires a family.

[F. No. 20(10)/81-Pension Unit-GPF]

Note—General Provident Fund (Central Services) Rules, 1960 were published as S.O. 3000 dated 1-12-1960. The Third reprint (corrected upto 30-11-1978) of the rules was printed in 1979. The rules were subsequently amended vide notifications mentioned below:—

1. F. 13 (8)/77-EV (B) dated 13-12-78
2. F. 13 (5)/78-EV (B) dated 23-4-79
3. F. 13 (11)/78-EV (B) dated 30-5-1979
4. F. 13 (7)/78-EV (B) dated 18-6-1979
5. F. 17 (5)/EV (B) /78 dated 18-6-1979
6. F. 19 (15)-Pen/76-GPF dated 9-8-1979
7. F. 9(2)-EV (B)/Pen/78-GPF dated 13-11-1979
8. F. 10 (10)-Pen/79-GPF dated 13-3-1980
9. F. 20 (22)-EV (B)/Pen/79-GPF dated 18-4-1980
10. F. 13 (6)-Pen/79-GPF dated 18-4-1980
11. F. 16 (2)-Pen/79-GPF dated 12-6-1980
12. F. 11 (1)-Pen/77-GPF dated 1-10-1980
13. F. 16 (3)-Pen/79-GPF dated 13-10-1980
14. F. 10 (2)-Pen/81-GPF dated 21-12-1981
15. F. 13 (1)-Pen/82-dated 8-9-1982
16. F. 13 (3)-Pen/82 dated 30-4-1983
17. F. 19 (2)-Pen/80-GPF dated 10-5-83
18. F. 16 (3)-Pen/77-GPF dated 19-5-83
19. F. 13 (2)-Pen/80-dated 20-5-83
20. F. 19 (1)-Pen/83-GPF dated 20-5-83.

का०आ० 3124--राष्ट्रपति संविधान के अनुच्छेद 309 और अनुच्छेद 148 के खण्ड (5) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारतीय लेखा परीक्षा और लेखा विभाग में नियोजित व्यक्तियों के संबंध में भारत के नियंत्रक, महालेखापरीक्षक से परामर्श करने के पश्चात् अभिदायी भविष्य निधि नियम (भारत), 1962 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम अभिदायी भविष्य निधि (भारत) (पांचवा संशोधन) नियम, 1983 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. आदायी भविष्य निधि नियम (भारत) 1962 के (जिसे, इसमें, इसके पश्चात् उक्त नियम कहा गया है) नियम 5 के उपनियम

(3) के स्थान पर निम्नलिखित उपनियम रखा जाएगा, अर्थात् :—

“(3) प्रत्येक नाम निर्देशन प्रथम अनुसूची में दिए गए प्ररूप में किया जाएगा।”

3. उक्त नियमों में, प्रथम अनुसूची में, नाम निर्देशन के चार प्ररूपों के स्थान पर निम्नलिखित नाम निर्देशन का प्ररूप रखा जाएगा, अर्थात् :—

“नाम निर्देशन का प्ररूप

में,..... नीचे उल्लिखित निधि में मेरे नाम जमा रकम के संदेय होने से पूर्व अथवा ऐसी दशा में, जब वह संदेय हो चुकी हो, किन्तु संदेय न की गई हो, मेरी मृत्यु हो जाने पर, उक्त रकम प्राप्त करने के लिए नीचे वर्णित व्यक्ति (व्यक्तियों) को, जो अभिदायी भविष्य निधि - (भारत) नियम, 1962 के नियम 2 में यथापरिभाषित मेरे कुटुम्ब का/के सदस्य है/हैं/मेरे कुटुम्ब का / के सदस्य नहीं है/हैं, नाम निर्दिष्ट करता हूँ।

नामनिर्देशिनी	अभिदाता के साथ नामनिर्देशिनी	प्रत्येक नामनिर्देशिनी	ऐसी आकस्मिकताएं	ऐसे व्यक्ति (व्य-	यदि नामनिर्देशिनी
(नाम निर्देशिनीयों)	नातेदारी	(नाम निर्देशिनीयों)	जिनके होने पर	क्तियों) के यदि	नियम 2 में यथा-
का नाम और पूरा	की आयु	अंश	नाम निर्देशन अवि-	कोई हो, नाम, पते	उपबंधित कुटुम्ब
पता			धिमान्य हो जाएगा	और नातेदारी जिन्हें	का सदस्य नहीं
				नामनिर्देशिनी का	है तो कारण उप-
				अधिकार उस दशा	वर्णित करें।
				में संक्रमित हो जा-	
				एगा जब उसकी	
				मृत्यु अभिदाता से	
				पहले हो जाए	

1	2	3	4	5	6	7
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तारीख-----19

स्थान-----
अभिदाता के हस्ताक्षर
स्पष्ट अक्षरों में नाम-----
पदाभिधान-----

ऐसे दो साक्षी जिनके समक्ष हस्ताक्षर किए गए

नाम और पता

हस्ताक्षर

1.

.....

2.

.....

(प्ररूप का पृष्ठ भाग)

कार्यालय अध्यक्ष/वेतन और लेखा कार्यालय के उपयोग के लिए स्थान

श्री/श्रीमती/कुमारी-----द्वारा नामनिर्देशित-----हस्ताक्षर-----

पदाभिधान-----कार्यालय अध्यक्ष/वेतन और लेखाधिकारी के हस्ताक्षर-----

नामनिर्देशन प्राप्त होने की तारीख-----

पदाभिधान-----

तारीख-----”

अभिदाता के लिए अनुदेश

(क) अपना नाम लिखिए ।

(ख) निधि के नाम को उपयुक्त रूप से पूरा किया जाए ।

(ग) अभिदायी भविष्य निधि नियम (भारत), 1962 में "कुटुम्ब" शब्द की जो परिभाषा दी गई है उसे नीचे दिया जा रहा है ।

"कुटुम्ब" से अभिप्रेत है —

(1) पुरुष अभिदाता की दशा में, अभिदाता की पत्नी या पत्नियाँ और संतानें तथा अभिदाता के किसी मृतक पुत्र की विधवा या विधवाएँ और संतानें :—

परन्तु अभिदाता यदि यह साबित कर देता है कि उसकी पत्नी उससे म्याथिक रूप से पृथक् हो गई है, अथवा वह, उस समुदाय की, जिसकी वह है, रुढ़िजन्य विधि के अधीन उससे भरण-पोषण प्राप्त करने की हकदार नहीं रह गई है तो उसे तब से जब तक कि अभिदाता लेखा अधिकारी को बाध में लिखित रूप में यह सूचना न करे कि उसे उसी रूप में माना जाता रहेगा, यह समझा जाएगा कि वह उन मामलों में, जिनका संबंध इन नियमों से है, अभिदाता के कुटुम्ब की सदस्य नहीं रह गई है ;

(2) स्त्री अभिदाता की दशा में, अभिदाता का पति और संतानें तथा अभिदाता के किसी मृतक पुत्र की विधवा या विधवाएँ और संतानें :

परन्तु यदि कोई अभिदाता लेखा अधिकारी को लिखित रूप में सूचना देकर अपने कुटुम्ब से अपने पति को अपवर्जित करने की अपनी इच्छा व्यक्त करती है तो पति को तब से जब तक कि अभिदाता बाध में वह सूचना लिखित रूप में न कर दे यह समझा जाएगा कि वह उन मामलों में, जिनका संबंध इन नियमों से है अभिदाता के कुटुम्ब का सदस्य नहीं रह गया है ।

टिप्पण :—संतान से धर्मज संतान अभिप्रेत है और उसके अन्तर्गत जहाँ अभिदाता का शासित करने वाली स्त्रीय विधि द्वारा दत्तक को मान्यता प्राप्त है, दत्तक संतान आती है ;

(घ) स्तम्भ 4—यदि केवल एक ही व्यक्ति का नामनिर्देशित किया जाता है तो उस नामनिर्देशिनी के सामने "सम्पूर्ण" लिखा जाएगा । यदि एक से अधिक व्यक्तियों को नामनिर्देशित किया जाता है तो, प्रत्येक नामनिर्देशिनी को संदेय अंश इस प्रकार विनिर्दिष्ट किया जाएगा जिससे भविष्य निधि की पूरी रकम उनके अन्तर्गत आ जाए ।

(ङ) स्तम्भ 5—इस स्तम्भ में नामनिर्देशिनी (नामनिर्देशितियों) की मृत्यु के आकस्मिकताओं के रूप में धनिता नहीं किया जाएगा ।

(च) स्तम्भ 6—अपना नाम न लिखें ।

(छ) अन्तिम प्रविष्टि के नीचे खाली स्थान में एक रेखा खींच दें जिससे आपके हस्ताक्षर करने के पश्चात् उस स्थान में कोई नाम न लिखा जा सके ।

टिप्पण :—यदि नाम निर्देशन करते समय अभिदाता का कोई कुटुम्ब नहीं था और उसके पश्चात् उसका कुटुम्ब हो जाता है तो यह नामनिर्देशन अवधिमान्य हो जाएगा ।

[फा० सं० 20(10)/81-पेंशन एकक-सी० पी० एफ०]

एस० आर० अहीर, उप सचिव

पाद टिप्पण :—अभिदायी भविष्य निधि नियम (भारत), 1962 के (31-3-1973 तक संशोधित) प्राधिकृत पुर्नमुद्रण का प्रकाशन, 1973 में किया गया था । तत्पश्चात् नियमों का निम्नलिखित अधिसूचनाओं द्वारा संशोधन किया गया —

1. फा० 16 (2)—ई बी (बी)/73—तारीख 18-9-73
2. फा० 32(3)—ई बी/67-अ० भ० नि० तारीख 26-10-73
3. फा० 32(3)—ई बी/67-अ० भ० नि० तारीख 22-12-73
4. फा० 2(2)—ई बी (बी)/71 तारीख 29-5-74
5. फा० 13(1)—ई बी (बी)/73-अ० भा० नि० तारीख 28-6-74

6. फा० 13(3)-ई बी (बी) 74-अंभ०नि० तारीख 5-10-74
7. फा० 16(2)-ई बी (बी) 72-तारीख 9-10-74
8. फा० 13(4)-ई बी (बी) 74-अंभ०नि० तारीख 10-10-74
9. फा० 2(62) (1)-ई बी (बी) 71-अंभ०नि० तारीख 14-10-74
10. क्यू० 24017/1/75-ई बी (बी) तारीख 28-2-75
11. फा० 13(3)-ई बी (बी) 75-तारीख 28-4-75
12. फा० 2(62) (1)-ई बी (बी) 71-तारीख 18-7-75
13. फा० 13(4)-ई बी (बी) 75-तारीख 28-10-75
14. फा० 10(3) ई बी (बी) 75-तारीख 12-1-76
15. फा० 13(1)-ई बी (बी) 76-तारीख 27-1-1976
16. फा० 13(5)-ई बी (बी) 75-तारीख 15-5-76
17. फा० 13(6)-ई बी (बी) 76-तारीख 30-6-76
18. फा० 13(7)-ई बी (बी) 76-तारीख 26-7-76
19. फा० 13(3)-ई बी (बी) 76-अंभ०नि० तारीख 17-11-76
20. फा० 13(8)-ई बी (बी) 76-अंभ०नि० तारीख 10-12-76
21. फा० 16(4)-ई बी (बी) 76-अंभ०नि० तारीख 17-12-76
22. फा० 10(8)-ई बी (बी) 76-अंभ०नि० तारीख 19-2-77
23. फा० 13(9)-ई बी (बी) 76-अंभ०नि० तारीख 26-2-77
24. फा० 13 (11)-ई बी (बी) 76-अंभ०नि० तारीख 28-4-77
25. फा० 13(10)-ई बी (बी) 76-अंभ०नि० तारीख 5-9-77
26. फा० 13(4)-ई बी (बी) 77-अंभ०नि० तारीख 18-10-77
27. फा० 13(10)-ई बी (बी) 76-अंभ०नि० तारीख 21-1-78
28. फा० 13(7)-ई बी (बी) 77-अंभ०नि० तारीख 23-1-78
29. फा० 20(25)-ई बी (बी) 77-अंभ०नि० तारीख 13-3-78
30. फा० 13(5)-ई बी (बी) 77-अंभ०नि० तारीख 30-3-78
31. फा० 13(7)-ई बी (बी) 77-अंभ०नि० तारीख 22-4-78
32. फा० 13(11) ई बी (बी) 78-अंभ०नि० तारीख 30-5-79
33. फा० 17(5)-ई बी (बी) 78-अंभ०नि० तारीख 18-6-79
34. फा० 19(15) पेन 70-अंभ०नि० तारीख 9-8-79
35. फा० 9(2) ई बी (बी) पेन 78-अंभ०नि० तारीख 31-11-79
36. फा० सं० 10(10)-पेन 79-अंभ०नि० तारीख 3-3-80
37. फा० 20(22)-ई बी (बी) पेन 74-अंभ०नि० तारीख 18-4-80
38. फा० 13(6)-पेंशन 79-अंभ०नि० तारीख 18-4-80
39. फा० 16(2)-पेन 79-अंभ०नि० तारीख 12-6-80
40. फा० 11(1)-पेन 77-अंभ०नि० तारीख 1-10-80
41. फा० 16(3)-पेन 79-अंभ०नि० 13-10-80
42. फा० 10(2)-पेन 81-अंभ०नि० तारीख 21-12-82
43. फा० 13(3)-पेंशन 79-सी०पी०एफ दिनांक 30-4-83
44. 19 (2)-पेंशन/80-सी०पी०एफ दिनांक 10-5-83
45. 16(3)-पेंशन 79-सी०पी०एफ दिनांक 19-5-83
46. फा० 19(1)-पेंशन 83-सी०पी०एफ दिनांक 20-5-83

S.O. 3124—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General of India in respect of persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the Contributory Provident Fund Rules (India), 1962, namely:—

1. (1) These rules may be called the Contributory Provident Fund (India) (Fifth Amendment) Rules, 1983.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Contributory Provident Fund Rules (India), 1962 (hereinafter referred to as the said rules) in rule 5, for sub-rule (3), the following sub-rule shall be substituted namely:—

“(3) Every nomination shall be made in the Form set forth in the First schedule.”

3. In the said rules, in the First Schedule, for the four forms of nomination the following form of nomination shall be substituted, namely:—

FORM OF NOMINATION

Account No. _____

I, _____ hereby nominate the person(s) mentioned below who is/are member (s)/non-members of my family as defined in rule 2 of the Contributory Provident Fund Rules (India), 1962, to receive the amount that may stand to my credit in the Fund as indicated below, in the event of my death before that amount has become payable or having become payable has not been paid.

Name and full address of the nominee (s)	Relationship with the subscriber	Age of the nominee(s)	Share payable to each nominee	Contingencies on the happening of which the nomination will become invalid	Name, address and relationship of the person(s) to whom the right of nominee shall pass in the event of his/her pre-deceasing the subscriber	If the nominee is not a member of the family as provided in rule 2, indicate the reasons.
1	2	3	4	5	6	7

Dated, this _____ day of _____ 19____ at _____

Signature of the subscriber _____

Name in Block Letters _____

Designation _____

Two witnesses to signature

Name and address

Signature

1.

.....

2.

.....

(Reverse of the form)

Space for use by the Head of office Pay & Account Office.

Nomination by Shri/Smt./Kumari _____

Designation _____

Date of receipt of nomination _____

Signature of _____

Head of Office/Pay & Accounts Officer.

Designation _____

Dated _____

Instructions or Subscribers

(a) Your name may be filled in.

(b) Name of the fund may be completed suitably.

(c) Definition of term 'family' as given in the Contributory Provident Fund Rules (India), 1962 is reproduced below :

Family means —

- (i) in the case of a male subscriber, the wife or wives and children of a subscriber, and the widow, or widows, and children of a deceased son of the subscriber, provided that if a Subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscribers' family in matters to which these rules relate unless the subscriber subsequently intimate in writing to the Accounts Officers that she shall continue to be so regarded;
- (ii) in the case of a female subscriber, the husband and children of a subscriber, and the widow or widows and children of a deceased son of a subscriber provided that if a subscriber by notice in writing to the Account Officer expresses her desire to exclude her husband from her family the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing.

Note :—Child means a legitimate child and includes an adopted child where adoption is recognised by the personal-law governing the subscriber.

(d) Col. 4. If only one person is nominated the words 'in full' should be written against the nominee. If more than one persons is nominated, the share payable to each nominee over the whole amount of the Provident Fund shall be specified.

(e) Col. 5. Death of nominee(s) should not be mentioned as contingency in this column.

(f) Col. 6. Do not mention your name.

(g) Draw line across the blank space below last entry to prevent insertion of any name after you have signed.

Note : A nomination shall become invalid in case of a subscriber who had no family at the time of nomination subsequently acquires a family.

[F. No.20(10)81—Pension unit GPF]
S. R. AHIR, Dy-Secy.

NOTE :—The contributory Provident Fund Rules (India) 1962 (corrected upto 31-3-1973) were published in 1973. Rules were subsequently amended vide the notifications mentioned below :—

1. 16(2)-EV/73 dated 18-9-1973
2. F. 32(3)-EV/67/CPF dated 26-10-73
3. F. 32(3)-EV/67-CPF dated 22-12-73
4. F.2(2)-EV(B)/71-dated 29-5-74
5. F. 13(1)-EV(B)-73-CPF dated 28-6-74
6. F. 13(3)-EV(B)/74-CPF dated 5-10-74
7. F. 16(2)-EV(B)/72-dated 9-10-74
8. F. 13(4) EV(B)/74 dated 10-10-74.
9. F. 2(62)(1)-EV(B)/71-CPF dated 14-10-74
10. O. 24017/1/75-EV(B)—dated 28-2-75
11. F.13(3)-EV(B)/75 dated 28-4-75
12. F. 2 (62)(i)-EV(B)/71 dated 18-7-75
13. F.13(4) EV(B)/75 dated 28-10-75
14. F. 10(3)-EV(B)/dated 12-1-1975
15. F. 13(i)-EV(B)/76 dated 27-1-76
16. F. 13(5)-EV(B)/75 dated 15-5-76
17. F. 13(6)-EV(B)/76 dated 30-6-76
18. F. 13(7)-EV(B)/76 dated 26-7-77
19. F. 13(3)-EV(B)/76 CPF dated 17-11-76
20. F. 13(8)-EV(B)/76-CPF dated 10-12-76
21. F. 16(4)-EV(B)/76-CPF dated 17-12-76
22. F. 10(8)-EV(B)/76-CPF dated 17-2-77
23. F. 13(9)-EV(B)/76-CPF dated 25-2-77
24. F. 13(ii)-FV(B)/76-CPF dated 28-4-77
25. F. 13(10)-EV(B)/76 CPF dated 5-9-77
26. F. 13 (4)-EV(B)/76-CPF dated 18-10-77

27. F. 13(10)-EV(B)/76-CPF daed 21-1-78
28. F. 13(7)-EV(B)/77-CPF dated 23-1-78
29. F. 20(25)-EV(B)/77-CPF dated 13-3-78
30. F. 13(5)-EV(B)/77-CPF dated 30-3-78
31. F. 13(7)-EV(B)/77-CPF dated 22-4-78
32. F. 13(ii)-EV(B)/78-CPF dated 30-5-79
33. F. 17(5)-EV(B)/78-CPF dated 18-6-79
34. F. 19(15) Pen/76-CPF dated 9-8-79
35. F. 9(2)-EV(B)/78-CPF dated 13-11-79
36. F. 10(10)-Pen/79-CPF dated 3-3-80
37. F. No. 20(22)-EV(B)/Pen/79-CPF dated 18-4-80
38. F. 13(6)-Pen/79-CPF dated 18-4-80
39. F. 16(2)-Pen/79-CPF dated 12-6-80
40. F. ii(i)-Pen/77-CPF dated 1-10-80
41. F. 16(3)Pen/79-CPF dated 13-10-80
42. F. 10(2)-Pen/81-CPF dated 21-12-81
43. F. 13(3) Pen/82-CPF dated 30-4-83.
44. F. 19(2)-Pen/80-CPF dated 10-5-83
45. F. 16(3) Pen/79-CPF dt. 19-5-83
46. F. 19(1)-Pen/83- CPF dt. 20-5-83.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 4 मई, 1983

(आय-कर)

कां०आ० 3125:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 80-छ की उप-धारा (2) (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “श्री सुब्रह्मण्यस्वामी तिरुकोइल तिरुचेन्दुर (तमिलनाडु)” को समस्त तमिलनाडु राज्य में विख्यात सार्वजनिक पूजा-स्थल के रूप में अधिसूचित करती है। कुटीरों के लिए पुस्ता-दीवार के निर्माण देवस्थानम् वेदिका की मरम्मत, सड़क, चावल-मंडी, सूचना केन्द्र आदि बनाने के लिए प्राप्त होने वाली अन्य दान की अन्य राशियां इस अधिसूचना के अंतर्गत कटौती पाने योग्य नहीं होंगी।

[सं० 5162/का० सं० 176/23/83-आ० क० (नि० I)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 4th May, 1983

(INCOME-TAX)

S.O. 3125.—In exercise of the powers conferred by sub-section (2)(b) of Section 80-G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Shri Subramaniaswamy Thirukoil, Thiruchendur (Tamil Nadu)” to be a place of public worship of renown throughout the State of Tamil Nadu. It is clarified that for the purposes

of this notification donations for repairs/renovation of the temple only will qualify for relief under section 80G(2)(b). Other donations such as for construction of retaining wall for cottages, Devasthanam terrace repairs, forming road, rice-market, information centre etc. will not qualify for deduction under this notification.

[No. 5162/F. No. 176/23/83-IT(AI)]

आय-कर

कां०आ० 3126:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 80-छ की उप-धारा (2) (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “श्री प्रसन्न वेंकटेश्वर स्वामी मन्दिर मिकन्दराबाद” को समस्त आंध्र प्रदेश राज्य में विख्यात सार्वजनिक पूजा स्थल के रूप में अधिसूचित करती है। यह स्पष्ट किया जाता है कि इस अधिसूचना के प्रयोजनार्थ केवल मरम्मत/नवीकरण के लिए मिलने वाली दान की राशियां ही धारा 80-छ (2) (ख) के अंतर्गत राहत पाने योग्य होंगी।

[सं० 5163/का० सं० 176/25/83-आ० क० (नि० I)]

मिलाप जैन, अवर सचिव

(INCOME-TAX)

S.O. 3126.—In exercise of the powers conferred by sub-section (2)(b) of Section 80-G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Sri Prasanna Venkateswara Swamy Temple, Secunderabad” to be a place of public worship of renown throughout the State of Andhra Pradesh. It is clarified that for the purposes of this notifications donations for repairs/renovations only will qualify for relief under section 80G(2)(b).

[No. 5163/F. No. 176/25/83-IT(AI)]

MH AP JAIN, Under Secy.

आदेश

नई दिल्ली, 14 जुलाई, 1983

स्टाम्प

का०आ० 3127.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा बान्ताली वि०, बम्बई का केवल तीन लाख पचाहतर हजार रुपये के मूल्य का स्टाम्प शुल्क की अवधि के अन्तर्गत की अनुमति प्रदान करती है जो उक्त कम्पनी द्वारा 5 करोड़ रुपये के अंश मूल्य वाले ऋण पत्रों के रूप में जारी किए जाने वाले बन्धनों पर स्टाम्प शुल्क के रूप में प्रयोज्य है।

[सं० 23/83 स्टाम्प/का०सं० 33/25/83-वि०क०]

भगवान दास, अवर सचिव

ORDER

New Delhi, the 14th July, 1983

STAMPS

S.O. 3127.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits the Voltas Limited, Bombay to pay consolidated stamp duty of three lakhs seventy five thousand rupees only, chargeable on account of the stamp duty on bonds in the form of debentures of the face value of five crores of rupees to be issued by the said Company.

[No. 23/83-Stamps/F. No. 33/25/83-ST]

BHAGWAN DAS, Under Secy.

नई दिल्ली, 18 जुलाई, 1983

आयकर

का० आ० 3128.—इस कार्यालय की दिनांक 12-5-80 की अधिसूचना सं० 3288 (का० सं० 203/148/79-आ० क० नि० II) के सिलसिले में सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जा रहा है कि विहित प्राधिकारी अर्थात् विज्ञान तथा प्रयोगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में “गैंग I” प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है अर्थात्:—

(i) यह कि वनस्थली विद्यापीठ कॉलेज आफ आर्ट्स एंड साइंसेज वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का पृथक् लेखा रखेगा।

(ii) यह कि उक्त कॉलेज अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रति वर्ष 30 अप्रैल तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किए जाएं और उसे सूचित किया जाए।

(iii) यह कि उक्त कॉलेज अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित लेखों की तथा अपनी परिसंपत्तियां तथा देनदारियां दर्शाते हुए तुलन-पत्र की एक एक प्रति, प्रति वर्ष 30 जून तक विहित अधिकारी के समक्ष प्रस्तुत करेगा तथा इन दस्तावेजों की एक एक प्रति संबंधित आय-कर आयुक्त को भेजेगा।

संस्था

वनस्थली विद्यापीठ कॉलेज आफ आर्ट्स एंड साइंसेज
वनस्थली (राजस्थान)

यह अधिसूचना 24-1-1983 से 23-1-86 तक
तीन वर्ष की अवधि के लिए प्रभावी है।

[सं० 5312/का०सं० 203/28/83-आ० क० नि-II]

New Delhi, the 18th July, 1983

(INCOME-TAX)

S.O. 3128.—In continuation of this Office Notification No. 3288 (F. No. 203/148/79-ITA-II) dated 12-5-80 it is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category “Association” in the area of other natural and applied sciences subject to the following conditions:—

(i) That the Banasthali Vidyapith College of Arts and Science will maintain a separate account of the sums received by it for scientific research.

(ii) That the said College will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.

(iii) That the said College will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet—showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Banasthali Vidyapith College of Arts and Science, Banasthali (Rajasthan)

This notification is effective for a period of three years from 24-1-1983 to 23-1-1986

[No. 5312/F. No. 203/28/83-ITA-II]

आय-कर

का० आ० 3129—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान तथा प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञान के क्षेत्र में "संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है अर्थात्:-

(i) यह कि राजा बलवंत सिंह कालेज, आगरा, वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का पृथक् लेखा रखेगा।

(ii) यह कि उक्त कालेज अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकथित किया जाए और उसे सूचित किया जाए।

(iii) यह कि उक्त कालेज अपने कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियों तथा देयताओं को दर्शाते हुए तुलन-पत्र की एक-एक प्रति प्रति वर्ष विहित प्राधिकारी को 30 जून तक भेजेगा और इन दस्तावेजों को एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

राजा बलवंत सिंह कालेज, आगरा

यह अधिसूचना 27-12-82 से 26-12-1985 तक प्रभावी है।

[स० 5313/फा० सं० 203/79/82-आ० क० नि० -II]

INCOME TAX

S.O. 3129.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" in the area of other natural and applied sciences subject to the following conditions :—

- (i) That Raja Balwant Singh College, Agra will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said College will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said College will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income

and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to be concerned Commissioner of Income-tax.

INSTITUTION

Raja Balwant Singh College, Agra.

This notification is effective for a period from 27-12-1982 to 26-12-1985.

[No. 5313/F. No. 203/79/82-ITA.II]

नई दिल्ली, 22 जुलाई, 1983

आय-कर

का० आ० 3130.— इस कार्यालय की दिनांक 12-5-80 की अधिसूचना सं० 3289 (फा० सं० 203/129/80-आ० क० नि०-II) के सिलसिले में सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में "संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्:-

1. यह कि सेरम इंस्टिट्यूट आफ इण्डिया रिसर्च फाउण्डेशन, पूना के लिए उसके द्वारा प्राप्त राशियों का पृथक् लेखा रखेगा।
2. यह कि उक्त संस्था अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथित किया जाए और उसे सूचित किया जाए।
3. यह कि उक्त संस्था अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

सेरम इंस्टिट्यूट आफ इण्डिया रिसर्च फाउण्डेशन, पूना
यह अधिसूचना 4-1-1983 से 31-12-83 तक की अवधि के लिए प्रभावी है।

[स० 5323/फा० सं० 203/93/83-आ० क० नि०-II]

एम० जी० सी० गोयल, अवसर सचिव

New Delhi, the 22nd July, 1983

INCOME TAX

S.O. 3130.—In continuation of this Other Notification No. 3289 (F. No. 203/129/80-ITA.II) Dtd. 12-5-80, it is hereby notified for general information that the institution mentioned

below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" in the area of other natural and applied sciences subject to the following conditions:—

- (i) That the Serum Institute of India Research Foundation Poona will maintain a separate account of the sum received by it for scientific research.
- (ii) That the said institution will furnish annual returns of its scientific research activities to be Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said institution will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Serum Institute of India Research Foundation, Poona.

This notification is effective for a period from 4-1-1983 to 31-12-1983.

[No. 5323/F. No. 203/93/83-ITA.II]

M. G. C. GOYAL, Under Secy.

नई दिल्ली, 18 जुलाई, 1983

आयकर

का०आ० 3131.—इस कार्यालय की दिनांक 10-10-79 की अधिसूचना सं० 3029 [फा० सं० 203/56/79 आ० क० नि०-II] के सिलसिले में सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ एडिन आयकर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खण्ड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में "संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्—

1. यह कि संजीवन मेडिकल फाउंडेशन, मिराज, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।
2. यह कि उक्त फाउंडेशन अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रारूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।
3. यह कि उक्त फाउंडेशन अपनी कुल आय तथा व्यय दर्शाने हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां देनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति प्रतिवर्ष विहित

प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

संजीवन मेडिकल फाउंडेशन, मिराज।

यह अधिसूचना 3-9-82 से 31-12-83 तक की अवधि के लिए प्रभावी है।

[सं० 5314/फा० सं० 203/40/82-आ० क० नि०-II]

पी० सखेना, उप सचिव

New Delhi, the 18th July, 1983

INCOME TAX

S.O. 3131.—In continuation of this office Notification No. 3029 (F. No. 203/56/79-ITA-II) dated 10-10-79 it is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" in the area of other natural and applied sciences subject to the following conditions:—

- (i) That the Sanjeevan Medical Foundation, Miraj, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Foundation will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said foundation will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Sanjeevan Medical Foundation, Miraj.

This notification is effective for a period from 3-9-82 to 31-12-1983.

[No. 5314/F. No. 203/40/82-ITA.II]

P. SAXENA, Dy. Secy.

नई दिल्ली, 27 जुलाई, 1983

आयकर

का०आ० 3132.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 21/12/82 की अधिसूचना संख्या 5033 (फा० सं० 398/23/82-आ० क० व०) का अधिवर्धन करते हुए, केन्द्रीय सरकार एतद्वारा श्री के० सी० गोयल को, जो केन्द्रीय सरकार के राजस्व विभाग अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री के० सी० गोयल द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं० 5324/फा० सं० 398/29/83 आ० क० (ब)]

New Delhi, the 27th July, 1983

INCOME TAX

S.O. 3132.—In pursuance of sub-clause (iii) of Clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of Notification of the Government of India in the Department of Revenue No. 5033 (F. No. 398/23/82-IT(B) dated 21-12-1982, the Central Government hereby authorises Shri K.C. Goel, being a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri K. C. Goel takes over charge as Tax Recovery Officer.

[No. 5324/F. No. 398/29/83-IT(B)]

आयकर

फा० आ० 3133.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 29/8/81 की अधिसूचना संख्या 4195 (फा० सं० 398/16/81-आ० क० सं० क०) का अधिलेखन करने हुए, केन्द्रीय सरकार एतद्वारा श्री सी० एल० जैन को जो केन्द्रीय सरकार के राज-पट्टित अधिकारी है, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री सी० एल० जैन द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं० 5326/फा० सं० 398/29/83-आ० क० (ब)]

INCOME TAX

S.O. 3133.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of Notification of Government of India in the Department of Revenue No. 4195 (F. No. 398/16/81-ITCC) dated 29-8-1981, the Central Government hereby authorises Shri C. L. Jain, being a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date of Shri C. L. Jain takes over charge as Tax Recovery Officer.

[No. 5326/F. No. 398/29/83-IT(B)]

आयकर

फा० आ० 3134.—वित्त मंत्रालय (राजस्व विभाग) में, आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के अनुसरण में जारी की गई दिनांक 31 दिसम्बर, 1982 की अधिसूचना संख्या 5049

(फा० सं० 398/4/82 आ० क० व०) आ० में श्री जे० एल० कपूर की नियुक्ति कर वसूली अधिकारी के रूप में की गई थी, को एतद्वारा रद्द किया जाता है।

2. यह अधिसूचना, श्री जे० एल० कपूर द्वारा कर वसूली अधिकारी के पद का कार्यभार सौंपे जाने की तारीख से लागू होगी।

[सं० 5328/फा० सं० 398/25/83 आ० क० (ब)]

INCOME TAX

S.O. 3134.—The Notification issued in the Ministry of Finance (Department of Revenue) No. 5049 (F. No. 398/4/82-II(B) dated the 31st December, 1982, in pursuance of sub-clause (iii) of Clause (44) of Section 2 of Income-tax Act, 1961 (43 of 1961) appointing Shri J. L. Kapoor as Tax Recovery Officer is hereby cancelled.

2. This Notification shall come into force w.e.f. the date Shri J. L. Kapoor hands over charge as Tax Recovery Officer.

[No. 5328/F. No. 398/25/83-IT(B)]

आयकर

फा० आ० 3135.—वित्त मंत्रालय (राजस्व विभाग) में, आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में जारी की गई दिनांक 22 अगस्त 1980 की अधिसूचना संख्या 3628 (फा० सं० 398/16/80-आ० क० सं० क०), जिसमें श्री लाभ सिंह की नियुक्ति कर वसूली अधिकारी के रूप में की गयी थी, को एतद्वारा रद्द किया जाता है।

2. यह अधिसूचना, श्री लाभ सिंह द्वारा कर वसूली अधिकारी के पद का कार्यभार सौंपे जाने की तारीख से लागू होगी।

[संख्या 5330/फा० सं० 398/25/83 आ० क० व०]

INCOME TAX

S.O. 3135.—The notification issued in the Ministry of Finance (Department of Revenue) No. 3628 (F. No. 398/16/80-ITCC) dated the 22nd August, 1980, in pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) appointing Shri Labh Singh as Tax Recovery Officer, is hereby cancelled.

2. This notification shall come into force with effect from the date Shri Labh Singh hands over charge as Tax Recovery Officer.

[No. 5330/F. No. 398/25/83-IT(B)]

आयकर

फा० आ० 3136.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खण्ड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 30-6-79 की अधिसूचना संख्या 2920 (फा० सं० 398/133/टी० आर० ओ०/पटियाला 79 आई० टी० सी० सी० का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री भगवान दास तनेजा को, जो केन्द्रीय सरकार

के राजपत्रित अधिकारी हैं उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री भगवान दास तनेजा द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[संख्या 5332 फा० सं० 398/25/83 आई० टी० बी०]

INCOME TAX

S.O. 3136.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in partial modification of the Government of India in the Department of Revenue No. 2920 (F. No. 404/133/TRO/Patiala/79/ITCC) dated 30-6-1979, the Central Government hereby authorises Shri Bhagwan Das Taneja, being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri Bhagwan Dass Taneja takes over charge as Tax Recovery Officer.

[No. 5332/F. No. 398/25/83-ITB]

आयकर

फा० आ० 3132.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (3) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 30/6/79 की अधिसूचना संख्या 2920 (फा० सं० 404/133/टी० आर० ओ०/पटियाला/79/ आ० का० सं० क०) का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री मलकिया सिंह को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री मलकिया सिंह द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[संख्या 5334 फा० सं० 398/25/83-आ० क० ब०]

INCOME TAX

S.O. 3137.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in partial modification of the Government of India in the Department of Revenue No. 2920 F. No. 404/133/TRO/Patiala/79/ITCC dated 30-6-1979, the Central Government hereby authorises Shri Malkiat Singh being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri Malkiat Singh takes over charge as Tax Recovery Officer.

[No. 5334/F. No. 398/25/83-ITB]

आयकर

फा० आ० 3138.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (3) के अनुसरण

में और भारत सरकार के राजस्व विभाग की दिनांक 20/9/79 की अधिसूचना संख्या 2996 (फा० सं० 404/33 टी० आर० ओ०/पटियाला/79-आ० क० सं० क०) का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री जी० एस० सेठी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री जी० एस० सेठी द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[संख्या 5336 फा० सं० 398/25/83 आ० क० ब०]

INCOME TAX

S.O. 3138.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 2996 (F. No. 404/33/TRO-Patiala/79/ITCC) dated 20-9-1979, the Central Government hereby authorises Shri G. S. Sethi, being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri G. S. Sethi takes over charge as Tax Recovery Officer.

[No. 5336/F. No. 398/25/83-ITB]

आयकर

फा० आ० 3139.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (3) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्री एस० के० भटिया को जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री एस० के० भटिया द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[संख्या 5338 फा० सं० 398/7/78 आ० क० ब०]

INCOME TAX

S.O. 3139.—In pursuance of sub-clause (iii) of Clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri S. K. Bhatia being a gazetted officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri S. K. Bhatia takes over charge as Tax Recovery Officer.

[No. 5338/F. No. 398/7/83-ITB]

आयकर

फा० आ० 3140.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 21/

5/81 की अधिसूचना संख्या 3968 (फा० सं० 398/14/81 आ० क० सं० क०) का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री बिहारी लाल को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री बिहारी लाल द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[संख्या 5340/फा० सं० 398/7/83 - आ० क० ब०]

INCOME TAX

S.O. 3140.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3968 (F. No. 398/14/81-ITCC) dated 21-5-1981 the Central Government hereby authorises Shri Behari Lal, being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri Behari Lal takes over charge as Tax Recovery Officer.

[No. 5340/F. No. 398/7/83-ITB]

आयकर

का० आ० 3141.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (3) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 21-5-81 की अधिसूचना संख्या 3966 फ० सं० 398/14/81 आ० क० सं० क०) का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री आर० ए० गुप्ता को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री आर० ए० गुप्ता द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[संख्या 5342/फा० सं० 398/7/83-आ० क० ब०]

INCOME TAX

S.O. 3141.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3966 (F. No. 398/14/81-ITCC) dated 21-5-1981, the Central Government hereby authorises Shri R. A. Gupta, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri R. A. Gupta takes over charge as Tax Recovery Officer.

[No. 5348/F. No. 398/7/83-ITB]

आयकर

का० आ० 3142.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (3) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 21-5-81 की अधिसूचना सं० 3964 (फा० सं० 398/14/81 आ० क० सं० क०) का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री मुंशी राम को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री मुंशी राम द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[संख्या 5344/फा० सं० 398/7/83-आ० क० ब०]

INCOME TAX

S.O. 3142.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3964 (F. No. 398/14/81-ITCC) dated 21-5-1981, the Central Government hereby authorises Shri Munshi Ram, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri Munshi Ram takes over charge as Tax Recovery Officer.

[No. 5344/F. No. 398/7/83-ITB]

आयकर

का० आ० 3143.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (3) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 14-10-80 की अधिसूचना संख्या 3699 (फा० सं० 398/3/88 आ० क० सं० क०) का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री एस० के० गुप्ता को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री एस० के० गुप्ता द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[संख्या 5346/फा० सं० 398/7/83 आ० क० ब०]

INCOME TAX

S.O. 3143.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3699 (F. No. 398/3/80-ITCC) dated 14-10-1980, the Central Government hereby authorises Shri S. K. Gupta, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri S. K. Gupta takes over charge as Tax Recovery Officer.

[No. 5346/F. No. 398/7/83-IT(B)]

आयकर

का०आ० 3144 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्री आर० के० राणा, को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री आर० के० राणा द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी

[संख्या 5348/फा० सं० 398/7/83-आ० क० व०]

एन० के० शुक्ल, अवर सचिव

INCOME TAX

S.O. 3144.—In pursuance of such-clause (iii) of Clause (44) of Section 2 of Income-tax Act, 1961 (43 of 1961) the Central Government hereby authorises Shri R. K. Raina being a gazetted officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri R. K. Raina takes over charge as Tax Recovery Officer.

[No. 5348/F. No. 398/7/83-IT(B)]

N. K. SHUKLA, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 21 जुलाई, 1983

आयकर

का०आ० 3145 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और पहले के, सभी आदेशों का अधिलेखन करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड, एतद्वारा निदेश देता है कि नीचे दी गई अनुसूची के स्तम्भ (1) में विनिर्दिष्ट अधिकार-क्षेत्रों के आयकर आयुक्त (अपील), अनुसूची के स्तम्भ (2) और (3) की तत्संबंधी प्रविधियों में विनिर्दिष्ट आयकर बोर्डों, परिमंडलों, जिलों और रैजों में ऐसे व्यक्तियों के संबंध में अपने कार्य करेंगे जिन पर आयकर या अतिकर या व्याज कर लागू किया गया हो और जो आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (क) से (ज) में, कम्पनी (लाभ) अतिकर अधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) में और व्याज कर अधिनियम 1974 (1974 का 45) की धारा 15 उपधारा (1) में उल्लिखित किसी भी आदेश से व्यथित हुए हैं और ऐसे व्यक्तियों के दंगों की बाबत भी, कार्य करेंगे जिनके लिए बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (1) के उपबन्धों के अनुसार निदेश दिया है या भविष्य में निदेश दें।

अनुसूची

अधिकार-क्षेत्र और प्रधान कार्यालय	आयकर बोर्ड/परिमंडल तथा जिले	आयकर के० नि० सा० आ० की रेंजें
1	2	3
आयकर आयुक्त (अपील), I मद्रास	मिटी परिमंडल I मद्रास (सभी अनुभाग)	नि० स० आ० रेंज I
	यथोपरि-II	नि० स० आ० रेंज V
	यथोपरि-III	नि० स० आ० रेंज X
	यथोपरि-IV	नि० स० आ० रेंज IX
	यथोपरि-V	नि० स० आ० रेंज VIII
	यथोपरि-VI	नि० स० आ० रेंज VII
	विशेष सर्वेक्षण परिमंडल, मद्रास I	नि० स० आ० रेंज II
	बेतन परिमंडल I, मद्रास	नि० स० आ० रेंज-III
	बेतन परिमंडल II, मद्रास	
	बेतन परिमंडल, मद्रास	
	(भूतपूर्व परिमंडल)	
	दुई परिमंडल I तथा II मद्रास	
	बार्पस अवायगी मद्रास परिमंडल, मद्रास	
आयकर आयुक्त (अपील) II, मद्रास	मद्रास में सभी केन्द्रीय परिमंडल (सभी अनुभाग) मदुरै में सभी केन्द्रीय परिमंडल (सभी अनुभाग)	नि० स० आ० सैन्ट्रल रेंज I तथा II और नि० स० आ० (निर्धारण) सैन्ट्रल, मद्रास।

1	2	3
आयकर आयुक्त (अपील) III मद्रास	कंपनी परिमंडल III (सभी अनुभाग), मद्रास सम्बरम् परिमंडल सभी अनुभाग कोचीपुरम् परिमंडल विल्लुपुरम् परिमंडल	नि० स० आ० रेंज IV नि० स० आ० रेंज VII
	पांडोचेरी कुडुरालो कुम्बाकोणम् नागपट्टीनम् तंजावूर ट्टिकोरिन तिरुनेवेलि विरधुनगर मायकोल	नि० स० आ० रेंज VI नि० स० आ० रेंज, मदुरै
	विशेष जांच परिमंडल I, II, तथा III, मद्रास विशेष जांच परिमंडल मद्रास (क एच ए) (भूत- पूर्व परिमंडल)	नि० स० आ० रेंज II नि० स० आ० रेंज II
	फिल्म परिमंडल, मद्रास	नि० स० आ० रेंज VIII
आयकर आयुक्त (अपील) IV मद्रास	कंपनी परिमंडल I मद्रास कंपनी परिमंडल IV मद्रास विदेश अनुभाग बेलूर परिमंडल कंपनी परिमंडल, मदुरै आयकर परिमंडल, मदुरै विशेष परिमंडल (2-12-74 से तथा परिमंडल) अतिरिक्त विशेष परिमंडल, मदुरै विशेष सर्वेक्षण परिमंडल, मदुरै कारिककुडी डिडिगुल रामनाथपुरम् परिमंडल (भूतपूर्व परिमंडल) विशेष परिमंडल मदुरै	नि० स० आ० कंपनी रेंज नि० स० आ० रेंज VIII नि० स० आ० रेंज I नि० स० आ० रेंज VII नि० स० आ० (निर्धा०) रेंज I मदुरै नि० स० आ० (निर्धा०) रेंज-II
आयकर आयुक्त (अपील) VI मद्रास	(भूतपूर्व परिमंडल) जो ई०पी०टी० मामलों को निपटाता है। सिटी परिमंडल मद्रास (सभी अनुभाग) कंपनी परिमंडल II मद्रास (सभी अनुभाग)	नि० स० आ० रेंज IV नि० स० आ० कंपनी रेंज तथा नि० स० आ० (निर्धा०) रेंज-I मद्रास

जहाँ कोई आयकर परिमंडल, बार्ड अथवा जिला अथवा रेंज अथवा उसका कोई भाग इस अधिसूचना द्वारा एक अधिकार-क्षेत्र से किसी अन्य अधिकार-क्षेत्र में अन्तर्गत कर दिया गया है, वहाँ उस आयकर परिमंडल, बार्ड अथवा जिले अथवा रेंज अथवा उसके किसी भाग में किए गए कर-निर्धारणों से उत्पन्न होने वाली और इन अधिसूचना की तारीख से तत्काल पूर्व उस अधिकार-क्षेत्र के अपीलीय सहायक आयुक्त के समक्ष विचाराधीन पड़ी अपीलें जिसके अधिकार क्षेत्र से वह आयकर परिमंडल, बार्ड अथवा जिला अथवा रेंज अथवा उसका कोई भाग अन्तर्गत किया गया है उस अधिसूचना के लागू होने की तारीख से उस अपीलीय सहायक आयुक्त के अधिकार-क्षेत्र को अन्तर्गत की जाएंगी और उसके द्वारा निपटायी जाएंगी, जिसके अधिकार-क्षेत्र में उक्त परिमंडल बार्ड अथवा जिला अथवा रेंज अथवा उसका कोई भाग अन्तर्गत कर दिया गया है।

यह अधिसूचना 1-7-1983 से लागू होगी।

[सं० 5321/फा० सं० 261/9/83-आ० क० न्या०

के० एम० सुल्तान, अवर सचिव

केन्द्रीय प्रत्यक्ष कर बोर्ड

(INCOME-TAX)

SCHEDULE

1	2	3
CIT (Appeals) II Madras	All Central Circles at Madras (All Sections) All Central Circles at Madurai (All Sections)	IACs Central Range I & II and IAC (Asst) Central, Madras
CIT (Appeals) III Madras	Company Circle III, Madras (All Sections) Tambaram Circle (All Sections) Kancheepuram Circle (All Sections) Vijlupuram Circle (All Sections) Pondicherry (All Sections) Cuddalore (All Sections) Kumbakonam (All Sections) Nagapattinam (All Sections) Thanjavur (All Sections) Tuticorin (All Sections) Tirunelveli (All Sections) Virudhunagar (All Sections) Nagarcoil (All Sections)	IAC Range IV IAC Range VII IAC Range VI IAC Madurai
	Spl. Inv. Circle I, II & III Madras (All Sections) Spl. Inv. Circle, Madras (A & B) (Erstwhile Circle) (All Sections) Film Circle, Madras (All Sections)	IAC Range II IAC Range II IAC Range VIII
CIT (Appeals) IV Madras	Company Circle I, Madras (All Sections) Company Circle IV, Madras (All Sections) Foreign Section, Madras (All Sections) Vellore Circle, Madras (All Sections) Company Circle, Madurai (All Sections) Incometax Cir., Madurai (All Sections) Spl. Cir. (New Circle w.e.f. 2-12-74), (All Sections) Addl. Spl. Cir. Madurai (All Sections) Spl. Survey Cir. Madurai (All Sections) Karaikudi, (All Sections) Dindigul, (All Sections)	IAC Company Range IAC Range VIII IAC Range I IAC Range VI IAC Asst. Range I Madurai

1	2	3
	Ramanathapuram Cir. (Erstwhile Circle) (All Sections) Spl. Cir. Madurai (Erstwhile Cir.) Dealing with EPT cases. (All Sections)	IAC Asst. Range II Madurai
CIT (Appeals) VI Madras	City Cir. VII, Madras (All Sections) Company Cir. II Madras (All Sections)	IAC Range IV IAC Company Range & IAC (Asst.) Range-I, Madras.

Whereas the Income-tax Circle, Ward or District or Range or part thereof stands transferred by this Notification from one charge to another charge, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or Range or part thereof and pending immediately before the date of this Notification before the Commissioner of Income-tax (Appeals) of the charge from whom that Income-tax circle, ward or district or range or part thereof is transferred shall from the date of this Notification takes effect, be transferred to and dealt with by the Commissioner of Income-tax (Appeals) of the Charge to whom the said Circle, Ward or District or Range or part thereof is transferred.

This Notification shall take effect from 1-7-83.

[No. 5321/E.No. 261/9/83-ITH]

K.M. SULTAN, Under Secy.
Central Board of Direct Taxes

केन्द्रीय उत्पाद शुल्क और सीमा शुल्क बोर्ड

नई दिल्ली, 13 अगस्त, 1983

सं० 221/83-सीमाशुल्क

का०आ० 3146.—केन्द्रीय उत्पाद शुल्क और सीमाशुल्क बोर्ड, सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य के बंगलोर जिले में जिगानी औद्योगिक क्षेत्र को भाण्डागारण केन्द्र के रूप में घोषित करता है।

[फा०सं० 473/131/83-सीमाशुल्क-7]

CENTRAL BOARD OF EXCISE AND CUSTOMS

New Delhi, the 13th August, 1983

No. 221/83-CUSTOMS

S.O. 3146.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board

of Excise and Customs hereby declares Jigani Industrial Area, District Bangalore in the State of Karnataka to be a warehousing station.

[F. No. 473/131/83-CUS. VII]

सं० 222/83-सीमाशुल्क

का०आ० 3147.—केन्द्रीय उत्पाद-शुल्क और सीमा-शुल्क बोर्ड, सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पश्चिम बंगाल राज्य में खडगपुर को भाण्डागारण केन्द्र के रूप में घोषित करता है।

[फा०सं० 473/121/82-सी०शु०-7]

No. 222/83-CUSTOMS

S.O. 3147.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Kharagpur in the State of West Bengal to be a warehousing station.

[F. No. 473/121/82-CUS. VII]

सं० 223/83-सीमाशुल्क

का०आ० 3148.—केन्द्रीय उत्पाद शुल्क और सीमा शुल्क बोर्ड, सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तमिलनाडु राज्य में पुडुकोट्टै जिले के माथुर ग्राम को भाण्डागारण केन्द्र घोषित करता है।

[फा०सं० 473/121/83-सी०शु०-7]

आनन्द छाबड़ा, सचिव

केन्द्रीय उत्पाद शुल्क और सीमाशुल्क बोर्ड

No. 223/83-CUSTOMS

S.O. 3148.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Mathur village in Pudukottai District in the state of Tamil Nadu to be a warehousing station.

[F. No. 473/121/83-CUS. VII]

A. K. CHHABRA, Secy.

Central Board of Excise and Customs

अधिक कार्य विभाग

(बैंकिंग प्रभाग)

नई दिल्ली, 21 जुलाई, 1983

का०आ० 3149.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 19(2) के उपबन्ध, इस अधिसूचना की तारीख से एक वर्ष की अवधि के लिए सेन्ट्रल बैंक आफ इंडिया पर उस सीमा तक लागू नहीं होंगे जहां तक इनका संबंध गिरवीदार के रूप में इंडिया लैडर कारपोरेशन (प्रा०) लि०, तथा क्रॉम लैडर कम्पनी लि० में बैंक की ग्रेजर धारिता से है।

[संख्या 15/23/83-बी०ओ०-III]

एन० डी० वता, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 21st July, 1983

S.O. 3149.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 19(2) of the said Act shall not apply, for a period of one year from the date of the notification to Central Bank of India, insofar as they relate to its holding of the shares in India Leather Corporation (P) Ltd., and Chroma Leather Co Ltd., as pledgee.

[No. 15/23/83-B. O. III]

N. D. BATRA, Under Secy.

वाणिज्य मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 1 अगस्त, 1982

का०आ० 3150.—केन्द्रीय सरकार, सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण नियम, 1972 के नियम 3 तथा नियम 4 के साथ पठित सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण अधिनियम 1972 (1972 का 13) की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री पी० जे० कुरियन, सदस्य, लोक सभा को भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण का सदस्य नियुक्त करती है।

[सं० 1 एम०/18/82-ई पी० (एम०पी०)]

पवन चोपड़ा, निदेशक

MINISTRY OF COMMERCE

(Department of Commerce)

New Delhi, the 1st August, 1983

S.O. 3150.—In exercise of the powers conferred by sub-section (3) of Section 4 of the Marine Products Export Development Authority Act, 1972 (13 of 1972) read with Rule 3 and Rule 4 of the Marine Products Export Development Authority Rules, 1972, the Central Government hereby appoints Shri P.J. Kurien, Member, Lok Sabha to be a Member of the Marine Products Export Development Authority for a period of three years with effect from the date of publication of this notification in the Gazette of India.

[No. 1M/18/32-EP(MP)]

PAWAN CHOPRA, Director

नई दिल्ली, 13 अगस्त 1983

का०आ० 3151.—निर्यात (क़्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उड़ीसा सरकार विशेषण प्रयोगशाला, जाजपुर रोड (जिला कटक) तथा जोड़ा (जिला क्योनहार) को भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना संख्या 3150 दिनांक

30 सितम्बर, 1965 से उपाबंध अनुसूची 2 में विनिर्दिष्ट खनिज और अयस्क ग्रुप 2 के निरीक्षण के लिए अभिकरण के रूप में एक वर्ष की और अवधि के लिए एतद्वारा मान्यता देती है।

[सं० 5 (2) /81-ई० आई० एण्ड ई० पी०]

New Delhi, the 13th August, 1983

S.O. 3151.—In exercise of the powers conferred by Section 7 of the Export (Quality Control & Inspection) Act, 1963 (22 of 1963) the Central Government hereby recognises for a further period of one year the Government of Orissa Analytical Laboratories at Jajpur Road (Distt. Cuttack) and Joda (Distt. Keonjhar), as the agency for the inspection of the Minerals and Ores-Group II, specified in Schedule II annexed to the notification of the Government of India in the Ministry of Commerce No. S.O. 3150, dated the 30th September, 1965.

[No.5(2)/81-EI&EP]

का०आ० 3152.—निर्यात (क़्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उड़ीसा सरकार विशेषण प्रयोगशाला जाजपुर रोड, (जिला कटक) तथा जोड़ा (जिला क्योनहार) को भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं० का० आ० 3152 तारीख 30 सितम्बर, 1965 से उपाबंध अनुसूची 2 में विनिर्दिष्ट खनिज और अयस्क ग्रुप-1 के निरीक्षण के लिए अभिकरण के रूप में एक और वर्ष की अवधि के लिए एतद्वारा मान्यता देती है।

[सं० 5 (2) /81-ई० आई० एण्ड ई० पी०]

S.O. 3152.—In exercise of the powers conferred by section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby recognises for a further period of one year the Government of Orissa Analytical Laboratories at Jajpur Road (Distt. Cuttack) and Joda (Distt. Keonjhar), as the agency for the inspection of the Minerals and Ores Group I, specified in Schedule II annexed to the notification of the Government of India in the Ministry of Commerce No. S.O. 3152 dated the 30th September, 1965.

[No. 5 (2)/81-EI&EP]

का० आ० 3153.—केन्द्रीय सरकार निर्यात (क़्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, शुष्क बैटरियों के संबंध में भारतीय मानक संस्थान प्रमाणन-चिन्ह को यह द्योतन करने के प्रयोजन के लिए मान्यता देने का प्रस्ताव करती है कि जहाँ शुष्क बैटरियों पर ऐसे चिन्ह लगाए जाते हैं या चिपकाए जाते हैं जहाँ उनके बारे में यह समझा जाएगा कि वे उक्त अधिनियम के अधीन उसको लागू होने वाले मानक विनिर्देशों के अनुरूप हैं।

और केन्द्रीय सरकार के उक्त प्रस्तावों को निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम II के उप-नियम (2) की अपेक्षानुसार निर्यात निरीक्षण परिपद को भेज दिया है ;

अतः अब, केन्द्रीय सरकार उक्त उप-नियम के अनुसारण में उक्त प्रस्तावों को उन व्यक्तियों की जानकारी के लिए प्रकाशित करती है जिनके उनसे प्रभावित होने की संभावना है।

2. यह सूचना दी जाती है कि यदि कोई व्यक्ति उक्त प्रस्तावों के बारे में कोई अपेक्षा या सुझाव देना चाहता है तो वह उन्हें इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिन के भीतर निर्यात निरीक्षण परिपद, बारहवीं मंजिल, प्रगति टावर, 26 राजेन्द्र प्लेस, नई दिल्ली-110008 को भेज सकता है।

3. स्पष्टीकरण—इस अधिसूचना के प्रयोजन के लिए “शुष्क बैटरी” से फ्लश लाइट, ट्रांजिस्टर जैसे उपकरणों, श्रवण सहायक यंत्रों, फोटो फ्लैश और संचार उपकरणों में उपयोग के लिए प्रयुक्त लैक्लांश प्रकार की शुष्क बैटरियां और परत प्रकार की बैटरियां अभिप्रेत हैं, और जिनके अंतर्गत शुष्क सेल हैं।

[फा० सं० 6 (12)/83 ई०आई० एण्ड ई० पी०]
सी० बी० कुक्रेती, संयुक्त निदेशक

S.O. 3155.—Whereas the Central Government in exercise of powers conferred by section 8 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), proposes to recognise the Indian Standards Institution Certification Mark in relation to Dry Batteries for the purpose of denoting that where Dry Batteries are affixed or applied with such mark, it shall be deemed to be in conformity with the standard specifications applicable thereto under the said Act;

And whereas the Central Government has forwarded the aforesaid proposal to the Export Inspection Council as required by Sub-rule (2) of rule (11) of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule the Central Government hereby publishes the said proposal for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposal may forward the same within fortyfive days of the publication of the notification in the Official Gazette to Export Inspection Council, 11th floor, Pragati Tower, 26, Rajendra Place, New Delhi-110008.

3. Explanation—For the purpose of this notification “Dry Batteries” shall mean Leclanche type dry batteries as well as layer type of batteries used in application such as flash lights, transistorized equipment, hearing aids, photo-flash lamps and communication equipment and include dry cells.

[F. No. 6(12)/83-EI&EP]
C. B. KUKRETI, Joint Director

मुख्य नियंत्रक, आयात-निर्यात का कार्यालय आदेश

नई दिल्ली, 31-5-83/5-7-83/28 जुलाई, 1983

का०आ० 3154.—सर्वश्री आनन्द किशोर शर्मा, 54 लखनऊ रोड, दिल्ली-7 को केवल एक टोयटा करोला सीडान 1300 सी सी० 4 दरवाजे 1979 मॉडल, मॉडल सं० एन ई-70 के आयात के लिए 33,000 रु० मूल्य का एक सीमा-शुल्क निकासी परमिट सं० पी/जे/0395437/एन/एम पी/85/एच/82 दिनांक 8-12-82 प्रदान किया गया था। आवेदक ने उपर्युक्त सीमाशुल्क निकासी परमिट की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क निकासी परमिट उनसे अस्थानस्थ हो गया है। आगे यह भी बताया गया है कि मूल सीमाशुल्क निकासी परमिट किसी भी सीमाशुल्क प्राधिकारी से पंजीकृत नहीं कराया गया था और इस प्रकार सीमाशुल्क निकासी परमिट के मूल्य का विलुप्त भी उपयोग नहीं हुआ है।

2. अपने तर्क के समर्थन में लाइसेंसधारी ने यथोचित न्यायिक प्राधिकारी के समक्ष विधिवत ग्रन्थ लेकर एक ग्रन्थ-पत्र दाखिल किया है। तदनुसार, मैं सन्तुष्ट हूँ कि मूल सीमाशुल्क निकासी परमिट सं० पी०/जे०/0395437/एन/एमपी/85/एच/82 दिनांक 8-12-82 आवेदक से खो गया है। समय-समय पर यथासंशोधित आयात नियंत्रण आदेश 1955 दिनांक 7-12-1955 की उप-धारा 9(सी सी) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री आनन्द किशोर शर्मा को जारी किए गए उपर्युक्त मूल सीमाशुल्क निकासी परमिट सं० पी/जे/0395437/एन/एम पी/85/एच/82 दिनांक 8-12-82 को एतद्वारा रद्द किया जाता है।

3. सीमाशुल्क निकासी परमिट की अनुलिपि प्रति आवेदक को अलग से जारी की जा रही है।

[सं० ए/एन/जेड/61/82-83/बी० एल० एस०/643/267]

बी० आर० अहीर, उप-मुख्य नियंत्रक,
आयात-निर्यात

Office of the Chief Controller of Imports and Exports

ORDER

New Delhi, the 31-5-83/5-7-83/28th July, 1983

S.O. 3154.—Sarvashri Anand Kishore Sharma, 54 Lucknow Road, Delhi-7 was granted a Customs Clearance Permit No. P/J/0395437/N/MP/85/H/82 dated 8-12-82 for Rs. 38,000 only for import of one Toyota Carolla Sedan 1300 CC, 4 doors, 1979 Model, Model No. NE 70. The applicant has applied for issue of Duplicate copy of the above mentioned Customs Clearance Permit on the ground that the original CCP has been misplaced. It has further been stated that original CCP was not registered with any Customs Authority and as such the value of the CCP has not been utilised at all.

2. In support of his contention, the licensee has filed an affidavit duly sworn before appropriate judicial authority. I

am accordingly satisfied that the original CCP No. P/J/0395437/N/MP/85/H/82 dated 8-12-82 has been lost by the applicant, in exercise of the powers conferred under Sub-clause 9 (cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended from time to time, the said original CCP No. P/J/0395437/N/MP/85/H-82 dated 3-12-82 issued to Shri Anand Kishore Sharma, is hereby cancelled.

3. A duplicate copy of the Customs Clearance Permit is being issued to the party separately.

[No. A/N-Z/61/82-83/BLS/267]

B. R. AHIR, Dy. Chief Controller,

Imports and Exports

विदेश मंत्रालय

नई दिल्ली, 21 जुलाई, 1983

का०आ० 3155.—राजनयिक तथा कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम 1948 (1948 का 41 वां) के खंड 2 की धारा (क) के अनुसरण में केन्द्र सरकार इसके द्वारा भारत का राजदूतावास जेद्दा में सहायक श्री के०बी० गुलाटी को तत्काल कौंसली एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[टी० 4330/4/83]

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 21st July, 1983

S.O. 3155.—In pursuance of the clause (a) of Section 2 of the Diplomatic & Consular Officers (Oaths & Fees) Act,

1948 (41 of 1948), the Central Government hereby authorise Shri K. B. Gulati, Assistant in the Embassy of India, Jeddah to perform the duties of Consular Agent with immediate effect.

[T. 4330/4/83]

नई दिल्ली, 22 जुलाई, 1983

का०आ० 3156.—राजनयिक तथा कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम 1948 (1948 का 41 वां) के खण्ड 2 की धारा (क) के अनुसरण में केन्द्र सरकार इसके द्वारा भारत का सहायक हाई कमिशन कैंडी, श्रीलंका में निजी सहायक श्री आर० राजगोपालन को तत्काल कौंसली एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[टी० 4330/4/83]

बी०एस० निडर, अवर सचिव

New Delhi, the 22nd July, 1983

S.O. 3156.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri R. Rajagopalan, Personal Assistant in the Assistant High Commission of India, Kandy Sri Lanka to perform the duties of Consular Agent with immediate effect.

[T. 4330/4/83]

B. S. NIDDER, Under Secy.

नागरिक पति मंत्रालय

भारतीय मानक संस्था

नई दिल्ली, 25 जुलाई, 1983

का०आ० 3157.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विज्ञान) विनियम 1955 के विनियम 14 के उपविनियम 4 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सी०एम०/एल-0280941 जिसके व्योरे नोबे अनुसूची में दिए गए हैं लाइसेंसधारी के अपने अनुरोध पर 1982-12-16 से रद्द कर दिया गया है।

अनुसूची

क्रम संख्या	लाइसेंस संख्या और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	तत्सम्बन्धी भारतीय मानक
1	2	3	4	5
1.	सी०एम०/एल-0280941 1971-11-12	आर०जे० इंडस्ट्रीज, 63/21 हरबंस मोहाल, कानपुर (उ०प्र०)	जूतों के टोके बचाव के लिए इस्पात की टोपियां, टाइप 1, साइज 5, 6, 7, 8, 9, 10 और 11, टाइप 2, साइज 5, 6, 7, 8 और 9	IS : 5852-1977 जूतों के टोके के बचाव के लिए इस्पात टोपियों की विशिष्टि (पहला पुनरीक्षण)

[सी०एम० डी०/55 : 0280941]

ए०पी० बनर्जी, अपर महानिदेशक

MINISTRY OF CIVIL SUPPLIES
INDIAN STANDARDS INSTITUTION

New Delhi, 25th July, 1983

S. O. 3157:—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that licence No. CM/L—9280941 particulars of which are given below has been cancelled with effect from 1982-12-16 at the request of the licensee.

SCHEDULE

S. No.	Licence No. and date	Name & Address of the licensee	Article/process covered by the Licensee cancelled	Relevant Indian Standards
1	2	3	4	5
	CM/L—0280941 19711-11-12	R. J. Industries, 63/21 Harbans Mohal, Kanpur (U.P.)	Protective Steel toe caps for footwear, type 1, sizes 5, 6, 7, 8, 9, 10 & 11; Type 2, sizes 5, 6, 7, 8, & 9.	IS : 5852—1977 Specification for protective steel toe caps for footwear (first revision)

[CMD/55: 0280941]

A. P. BANERJI, Additional Director General.

ऊर्जा मंत्रालय
(कोयला विभाग)

नई दिल्ली, 21 जुलाई, 1983

का०आ० 3158:—कोयला खान (राष्ट्रीयकरण) अधिनियम 1973 (1973 का 26) की धारा 17 की उपधारा (2) के अंतर्गत प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री एस० के० रे को दिनांक 20 जून 1983 के पूर्वह् से सहायक भुगतान आयुक्त के पद पर नियुक्त करती है।

[सं० 11023/2/83-सी० ए०]
टी० सी० ए० श्रीनिवासन, निदेशक

नई दिल्ली, 29 जुलाई, 1983

का० आ० 3159:—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत सरकार के भूतपूर्व इस्पात खान और कोयला मंत्रालय (कोयला विभाग) की अधिसूचना सं० का० आ० 3396 तारीख 10 दिसम्बर, 1981 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र में भूमि का अर्जन करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में अपनी रिपोर्ट केन्द्रीय सरकार को दे दी है;

और केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने और बिहार सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 330.00 एकड़ (लगभग) या 133.54 हैक्टर (लगभग) माप की भूमि का अर्जन किया जाना चाहिए;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त अनुसूची में वर्णित 330.00 एकड़ (लगभग) या 133.54 हैक्टर (लगभग) माप की भूमि का अर्जन किया जाता है।

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र के रेखांक का निरीक्षण उपायुक्त, हजारी बाग (बिहार) के कार्यालय में या कोयला नियंत्रक, 1, काउन्सिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या सेन्ट्रल कोलफील्ड्स लिमिटेड, (राजस्व अनुभाग), दरभंगा हाउस, रांची (बिहार) के कार्यालय में किया जा सकता है।

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 21st July, 1983

S.O. 3158:—In exercise of the powers conferred under Sub-section (2) of the Section 17 of the Coal Mines (Nationalisation) Act, 1973 (26 of 1973), the Central Government hereby appoints Shri S. K. Ray as Assistant Commissioner of Payments, with effect from the forenoon of the 20th June, 1983.

[No. 11023(2)/83-CA]

T. C. A. SRINIVASAN, Director

अनुसूची

लापांगा विस्तार-पार्श्वस्थ चोर धारा ब्लाक (दक्षिणी कर्णपुरा कोयला क्षेत्र)

डांग सं० राजस्व 21/82

तारीख 24-3-82

(जिसमें अर्जित की गई भूमि दणित की गई है)

सभी अधिकार

क्रमसंख्या	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियां
1	2	3	4	5	6	7
1. चोरा धारा	.	मांडु	55	हजारीबाग	305.00	भाग
2. लापांगा	.	मांडु	56	हजारीबाग	25.00	भाग
कुल क्षेत्र		330.00 एकड़ (लगभग)				
या		133.54 हेक्टर (लगभग)				

चोरा धारा ग्राम में अर्जित किए गए प्लॉट सं० :—

2 से 6 तक 7 (भाग) 8 (भाग) 27-29 से 43 तक, 44 (भाग) 45, 46 और 49 (भाग)

लापांगा ग्राम में अर्जित किए गए प्लॉट सं० :—

1 (भाग) और 2 (भाग)

सीमा वर्णन :—

क—ख.—रेखा लापांगा ग्राम में प्लॉट सं० 1 से होकर जाती है (जो लापांगा कोयला खान की भागतः सम्मिलित सीमा बनाती है)।

ख—ग—घ—ङ—च—छ.—रेखाएं लापांगा ग्राम में प्लॉट सं० 1 और 2 से होकर चोर धारा ग्राम में प्लॉट सं० 49, 44 से होकर जाती है।

छ—ज—झ.—ड रेखाएं चोर धारा ग्राम में प्लॉट सं० 64, 77 की पश्चिमी सीमा के साथ-साथ प्लॉट सं० 78 की दक्षिणी और पश्चिमी सीमा के साथ-साथ प्लॉट सं० 28 की भागतः उत्तरी सीमा के साथ-साथ और प्लॉट सं० 26 की पश्चिमी सीमा के साथ-साथ जाती है जो चोर धारा ब्लाक के साथ भागतः सम्मिलित सीमा बनाती है (सभी अधिकार और खनन अधिकार कोयला अधिनियम की धारा 9 (1) के अधीन अर्जित किए गए हैं)।

झ—ट.—रेखा चोर धारा ग्राम में प्लॉट सं० 8 और 7 से होकर जाती है।

ट—ठ.—रेखा चोर धारा ग्राम में दामोदर नदी के बाएं किनारे के साथ-साथ जाती है।

ठ—ड.—रेखा चोर धारा और बुंदुआ ग्राम की सम्मिलित सीमा जाती है।

ड—क.—रेखा लापांगा और बुंदुआ ग्रामों की भागतः सम्मिलित सीमा के साथ-साथ जाती है और आरम्भिक बिन्दु "क" पर मिलती है।

[सं० 19/37/82-सी एल०]

MINISTRY OF ENERGY

(Deptt. of Coal)

New Delhi, the 29 July, 1983

S.O. 3159.—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S. O. 3396 dated the 10th December, 1981, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands in the locality specified in the Schedule appended to that notification;

And whereas the competent authority, in pursuance of section 8 of the said Act, has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid and after consulting the Government of Bihar, is satisfied that the lands measuring 330.00 acres (approximately) or 133.54 hectares (approximately) described in the Schedule appended hereto, should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 330.00 acres (approximately) or 133.54 hectares (approximately), described in the said Schedule, are hereby acquired.

The plans of the area covered by this notification may be inspected in the Office of the Deputy Commissioner, Hazaribagh (Bihar) or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi (Bihar).

SCHEDULE

Lapanga Extension—Adjoining Chordhara Block
(South Karanpura Coalfield)

Drg. No. Rev/21/82 dated 24-3-82
(Showing lands acquired)

All Rights

Sl. No.	Village	Thana	Thana number	District	Area in acres	Remarks
1.	Chordhara	Mandu	55	Hazaribagh	305.00	part
2.	Lapanga	Mandu	56	Hazaribagh	25.00	part
Total area or				330.00 acres (approximately) 133.54 hectares (approximately)		

Plot numbers acquired in village Chordhara:—

2 to 6, 7 (part), 8(part), 27, 29 to 43, 44 (part), 49 (part), and 306

Plot numbers acquired in village Lapanga :—1 (part) & 2 (part)

Boundary description :—

A-B line passes through plot number 1 in village Lapanga (which forms part common boundary of Lapanga Colliery)

B-C-D-E-F-G lines pass through plot numbers 1 & 2 in village Lapanga, through plot numbers 49, 44 in village Chordhara.

G-H-I-J lines pass along the western boundary of plot numbers 64, 77, southern & western boundary of plot number 78 along part northern boundary of plot number 28 and along western boundary of plot number 26 in village Chordhara (which forms part common boundary with Chordhara block All Rights & Mining Rights area acquired u/s 9 (1) of the Coal Act).

J-K line passes through plot numbers 8 & 7 in village Chordhara.

K-L line passes along the right bank of Damodar River in village Chordhara

L-M line passes along the common boundary of villages Chordhara and Dundua

M-A line passes along the part common boundary of villages Lapanga and Dundua and meets at starting point 'A'.

[No. 19/37/82-CL.]

का० आ० 3160.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना सं० का० आ० 1836, तारीख 30 अप्रैल, 1982 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र में भूमि का अर्जन करने के अपने आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 8 के अनुसरण में अपनी रिपोर्ट केन्द्रीय सरकार को दे दी है ;

और केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने और बिहार सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 850.00 एकड़ (लगभग) या 343.98 हेक्टर (लगभग) माप भूमि का अर्जन किया जाना चाहिए।

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त अनुसूची में वर्णित 850.00 एकड़ (लगभग) या 343.98 हेक्टर (लगभग) माप की भूमि का अर्जन किया जाता है।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक का निरीक्षण उपायुक्त गिरिडीह (बिहार) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या सेन्ट्रल कोल फील्ड्स लिमिटेड (राजस्व अनुभाग), दरभंगा हाउस, रांची (बिहार) के कार्यालय में किया जा सकता है।

अनुसूची
धोरही विस्तार
पूर्वी बोकारो कॉलफील्ड
जिला, गिरिडीह (बिहार)

क्र.सं. संख्या राजस्व / 58/82

तारीख 6-8-82

(जिसमें अजित की गई भूमि दर्शाई की गई है)

सभी अधिकार

क्रम सं० ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियां
1. एमलो	नवाडीह (बेरगाँ)	64	गिरिडीह	687.00	भाग
2. धोरही	"	68	"	116.40	"
3. चपरी	"	73	"	46.60	"
कुल क्षेत्र : 850.00 एकड़ (लगभग)					
या 343 98 हेक्टर (लगभग)					

एमलो ग्राम में अजित किए गए प्लॉट संख्यांक :

33(भाग), 34(भाग), 38(भाग) 39(भाग), 41(भाग), 42 से 46, 47 (भाग), 135(भाग), 136, 137(भाग), 138 से 181, 182(भाग), 183 से 186, 187 (भाग), 188 से 200, 201(भाग), 202(भाग), 203 (भाग), 208(भाग), 219((भाग), 226(भाग), 227(भाग), 462(भाग), 464(भाग), 465(भाग), 466, 467(भाग), 468 से 492, 493(भाग), 494 (भाग), 495, 496, 497 (भाग), 498(भाग), 543(भाग), 545(भाग), 546, 547, 548, 549(भाग), 550 से 572, 573(भाग), 574, 575(भाग) 576(भाग), एक असंख्यांक प्लॉट (भाग), 754 (भाग) 756(भाग), 757, 758, 759(भाग), 760 से 768, 769(भाग), 770(भाग), 777(भाग), 779(भाग), 782(भाग), 783 से 810, 811 (भाग), 812, 813, 814, 815 (भाग), 816 (भाग), 817, 818, 819 (भाग), 820(भाग), 838, 840(भाग), 841(भाग), 916(भाग), 921, 947(भाग), और 948(भाग)

धोरही ग्राम में अजित किए गए प्लॉट संख्यांक.

241 (भाग), 3020 (भाग), और 3234

चपरी ग्राम में अजित किए गए प्लॉट संख्यांक

1437 (भाग)

सीमा वर्णन

क-ख रेखा एमलो ग्राम में प्लॉट संख्यांक 33, 34, 39, 38, 39, 41, 39, 226, 227, 182, 226, 187 और 219 से होकर जाती है और बिन्दु 'ख' पर मिलती है।

ख-ग रेखा एमलो ग्राम में प्लॉट संख्यांक 219, 187, 203, 202, 201, 208, 467, 465, 464, 462, 493, 494, 497, 498, 549, 543, 545, एक संख्यांक प्लॉट 576, 575, 573, 756 और 754 से होकर जाती है : (जो करगली कोयला खान के साथ भागतः सम्मिलित सीमा भी बनाती है) और बिन्दु 'ग' पर मिलती है।

ग-घ रेखा एमलो ग्राम में प्लॉट संख्यांक 754, 759, 841, 759, 840, 947, 948, 811, 816, 915, 816, 820, 819, 782, 779, 777, 770, 769 और 916 से होकर धोरही ग्राम के प्लॉट संख्यांक 241 और 3020 से होकर जाती है (जो धोरही कोयला खान की उत्तरी सीमा के साथ सम्मिलित सीमा भी बनाती है) और बिन्दु 'घ' पर मिलती है।

घ-ङ रेखा धोरही ग्राम में प्लॉट संख्यांक 3020 से होकर जाती है [जा कोयला अधिनियम की धारा 9 (1) के अधीन अजित-धोरही (के) विस्तार ब्लॉक के साथ सम्मिलित सीमा बनाती है] और बिन्दु 'ङ' मिलती है।

ङ-च रेखा धोरही ग्राम में प्लॉट संख्यांक 3020 से होकर एमलो ग्राम के प्लॉट संख्यांक 137 से होकर चपरी ग्राम में प्लॉट संख्यांक 1437 से होकर जाती है और बिन्दु 'च' पर मिलती है।

च-क रेखा चपरी ग्राम में प्लॉट संख्यांक 1437 से होकर एमलो ग्राम में प्लॉट संख्यांक 135, 47 और 33 से होकर जाती है और आरंभिक बिन्दु 'क' पर मिलती है।

[सं० 19/72/82-सी०एल०]

S. O. 3160 .—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S. O. 1836 dated the 30th April, 1982, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands in the locality specified in the Schedule appended to that notification;

And whereas the Competent Authority, in pursuance of section 8 of the said Act, has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid and after consulting the Government of Bihar, is satisfied that the lands measuring 850.00 acres (approximately) or 343.98 hectares (approximately), described in the Schedule appended hereto should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 850.00 acres (approximately) or 343.98 hectares (approximately) described in the said Schedule are hereby acquired.

The plans of the area covered by this notification may be inspected in the Office of the Deputy Commissioner, Giridih (Bihar) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the Central Coalfields Limited (Revenue Section) Darbhanga House, Ranchi (Bihar).

SCHEDULE

Dhorhi Extension
East Bokaro Coalfield
District Giridih

Drg. No. Rev/58/82 dated 6-8-1982
(Showing lands acquired)

All Rights						
Sl. No.	Village	Thana	Thana Number	District	Area	Remarks
1.	Emlo	Nawadih (Bermo)	64	Giridih	687.00	Part
2.	Dhorhi	-do-	68	-do-	116.40	-do-
3.	Chapri	-do-	73	-do-	46.60	-do-
Total area			850.00 acres (approximately)			
or			343.98 hectares (approximately)			

Plot numbers acquired in village Emlo :—

33(part), 34(part), 38(part), 39 (part), 41(part), 42 to 46, 47(part), 135(part), 136, 137(part), 138 to 181, 182(part), 183 to 186, 187(part), 188 to 200, 201(part), 202(part), 203(part), 208 (part), 219 (part), 226(part), 227(part), 462 (part), 464 (part), 465 (part), 466, 467(part), 468 to 492, 493(part), 494 (part), 495, 496, 497 (part), 498 (part), 543 (part), 545 (part), 546, 547, 548, 549 (part), 550 to 572, 573 (part), 574, 575 (part), 576 (part), one-un-numbered plot (part), 754(part), 756 (part), 757, 758, 759 (part), 760 to 768, 769 (part), 770 (part), 777 (part), 779 (part), 782 (part), 783 to 810, 811 (part), 812, 813, 814, 815 (part), 816 (part), 817, 818, 819 (part), 820 (part), 838, 840 (part), 841 (part), 916 (part), 921, 917 (part), and 948 (part).

Plot numbers acquired in village Dhorhi : 241 (part), 3020 (part) and 3234.

Plot number acquired in village Chapri : 1437 (part).

Boundary Description :

A-B	line passes through plot numbers 33, 34, 39, 38, 39, 41, 39, 226, 227, 182, 226, 187 and 219 in village Emlo and meets at point 'B'.
B-C	line passes through plot numbers 219, 187, 203, 202, 201, 202, 208, 467, 465, 464, 462, 493, 494, 497, 498, 549, 543, 545, one un-numbered plot, 576, 575, 573, 756 and 754 in village Emlo (which also forms part common boundary with Kargali Colliery) and meets at point 'C'.
C-D	line passes through plot numbers 754, 759, 841, 759, 840, 947, 948, 811, 816, 815, 816, 820, 819, 782, 779, 777, 770, 769 and 916 in village Emlo through plot numbers 241 and 3020 in village Dhorhi (which also forms common boundary with the northern boundary of Dhorhi Colliery) and meets at point 'D'.
D-E	line passes through plot number 3020 in village Dhorhi (which forms common boundary with Dhorhi (K) Extension Block acquired u/s 9(1) of the Coal Act) and meets at point 'E'.
E-F	line passes through plot number 3020 in village Dhorhi through plot number 137 in village Emlo through plot number 1437 in village Chapri and meets at point 'F'.
F-A	line passes through plot number 1437 in village Chapri through plot numbers 135, 47 and 33 in village Emlo and meets at starting point 'A'.

कां०आ० 3161.—केन्द्रीय सरकार ने, कोयला धारक क्षेत्र (अर्जन और निकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना सं० कां०आ० 1537, तारीख, 1 मई, 1982 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट पश्चिम में भूमि का अर्जन करने के अपने आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 8 के अनुसरण में अपनी रिपोर्ट केन्द्रीय सरकार को दे दी है ;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने और बिहार सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 290.00 एकड़ (लगभग) या 117.35 हेक्टर (लगभग) माप की भूमि का अर्जन किया जाना चाहिए ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त अनुसूची में वर्णित 290.00 एकड़ (लगभग) या 117.35 हेक्टर (लगभग) माप की भूमि का अर्जन किया जागा है ;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण उपायुक्त रांची (बिहार) के कार्यालय में या कोयला नियंत्रक 1-काउन्सिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या सेंट्रल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) दरभंगा हाउस, रांची (बिहार) के कार्यालय में किया जा सकता है ।

अनुसूची

करकटा-पश्चिमी ठुमंग ब्लाक

उत्तरी करणापुरा कोयला क्षेत्र

ड्राइंग सं० राजस्व 5/82

तारीख 28-7-1982

(जिसमें अर्जित की गई भूमि दर्शित की गई है)

सभी अधिकार

क्रम सं०	ग्राम	थाना	थाना सं०	जिला	क्षेत्र	टिप्पणियां
1	नवाडीह	बरमु	4	रांची	290.00	भाग

कुल क्षेत्र 290.00 एकड़ (लगभग)

या 117.35 हेक्टर (लगभग)

ग्राम नवाडीह में अर्जित किए गए प्लॉट संख्यांक:—

200(भाग), 206(भाग), 207(भाग), 208 से 222, 223(भाग), 231(भाग), 233, 234, 235, 236(भाग), 237 से 325, 326 (भाग), 327 (भाग), 329(भाग), 330 से 354, 355 (भाग), 356 से 373, 374(भाग), 384 (भाग), 385(भाग), 386(भाग), 387(भाग), 400(भाग), 401(भाग), 402 से 419, 420(भाग), 421, 422(भाग), 426(भाग), 470(भाग), 472(भाग), 681(भाग), 682(भाग), 683, 684(भाग), 685 से 689, 690(भाग), 691 (भाग), 694(भाग), 863(भाग), और 871.

सीमा वर्णन,

- क-ख रेखा ग्राम नवाडीह में प्लॉट संख्यांक 200, 207 से होकर फिर ग्राम नवाडीह और हैमालोंग की भागतः सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु 'ख' पर मिलती है ।
- ख-ग रेखा ग्राम नवाडीह में प्लॉट संख्यांक 223, 207, 236, 231, 472 और 470 से होकर जाती है जो बिन्दु 'ग' पर मिलती है ।
- ग-घ रेखाएं ग्राम नवाडीह में प्लॉट संख्यांक 470, 472, 422, 426, 420, 355, 400, 401, 387, 386, 385, 384, 374, 355, 329, 327, 326, 681, 682, 684, 690, 691, 694 और 863 से होकर जाती है और बिन्दु 'घ' पर मिलती है ।
- घ-छ रेखा ग्राम नवाडीह और करकटा की भागतः सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु 'छ' पर मिलती है ।

छ-ज	रेखा ग्राम नवाडीह और ठुमंग की भागः सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु 'ज' पर मिलती है।
ज-क	रेखा ग्राम नवाडीह में प्लॉट संख्यांक 207, 206, 207, से होकर जाती है (जो कोयला आवनिष्क की धारा 9(1) के अधीन अर्जित ब्लॉक 1 कर्कटा कोयला खान विभाग की सम्मिलित सीमा बनाती है) और बिन्दु 'क' पर मिलती है।

[No. 19/78/82-सी.एल.]

SAMAY SINGH, Under Secy.

S.O. 3161.—Where as by the notification of the Government of India in the Ministry of Energy (Department of Coal), No. S. O. 1837 dated the 1st May, 1982 under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands in the locality specified in the Schedule appended to that notification:

And whereas the Competent authority, in pursuance of section 8 of the said Act, has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid and after consulting the Government of Bihar, is satisfied that the lands measuring 290.00 acres (approximately) or 117.35 hectares (approximately) described in the Schedule appended hereto, should be acquired:

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 290.00 acres (approximately) or 117.35 hectares (approximately), described in the said Schedule, are hereby acquired;

The plans of the area covered by this notification may be inspected in the Office of the Deputy Commissioner Ranchi (Bihar) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the Central Coalfields Ltd., (Revenue Section) Darbhanga House, Ranchi (Bihar).

SCHEDULE

Karkata-West Tumang Block North Karanpera Coalfield				Drg. No. Rev/51/82	dated 28-7-1982	
All Rights				(showing lands acquired)		
Sl. No.	Village	Thana	Thana number	District	Area	Remarks
1.	Nawadih	Burmu	4	Ranchi	290.00	part
		Total area	290.00 acres (approximately)			
		or	117.35 hectares (approximately)			

Plot numbers acquired in village Nawadih :—

200 (part), 206 (part), 207 (part), 208 to 222, 223(part), 231 (part), 233, 234, 235, 236 (part), 237 to 325; 326 (part), 327 (part), 329 (part), 330 to 354, 355 (part), 356 to 373, 374 (part), 384 (part), 385 (part), 386 (part), 387 (part), 400 (part), 401 (part), 402 to 419, 420 (part), 421, 422 (part), 426 (part), 470 (part), 472 (part), 681 (part), 682 (part), 683, 684 (part), 685 to 689, 690 (part), 691 (part), 694 (part), 863 (part) and 871.

Boundary description :—

A-B	line passes through plot nos. 200, 207 in village Nawadih then part along the common boundary of villages Nawadih, Hesalong and meets at point 'B'.
B-C	line passes through plot nos. 223, 207, 236, 231, 472 and 470 in village Nawadih and meets at point 'C'.
C-D-E-F	lines pass through plot nos. 470, 472, 422, 426, 420, 355, 400, 401, 387, 386, 385, 384, 374, 355, 329, 327, 326, 681, 682, 684, 690, 691, 694, and 863 in village Nawadih and meets at point 'F'.
F-G	line passes along the part common boundary of villages Nawadih and Karkata and meets at point 'G'.
G-H	line passes along the part common boundary of villages Nawadih and Tumang and meets at point 'H'.
H-A	line passes through plot numbers 207, 206, 207 in village Nawadih (which forms common boundary of Block I Karkata Colliery Extn. under section 9 (1) of Coal Act) and meets at starting point 'A'.

[No. 19/78/82—CL]

SAMAY SINGH, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय**(स्वास्थ्य विभाग)**

नई दिल्ली, 6 जुलाई, 1983

का० आ० 3162—अखिल भारतीय आयुर्विज्ञान संस्थान अधिनियम 1956 (1956 का 25) की धारा 4 के खंड (ङ) के अनुसरण में, केन्द्रीय सरकार एतद्वारा प्रो० श्रीमती अर्चना शर्मा, वनस्पति विज्ञान विभाग विश्वविद्यालय विज्ञान कालेज, कलकत्ता, गैर-चिकित्सा विज्ञानी, भारतीय विज्ञान कांग्रेस संघ की प्रतिनिधि तथा निम्नलिखित व्यक्तियों को अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली का सदस्य मनोनीत करती है, अर्थात्:—

1. श्री बी० शंकरानन्द,
केन्द्रीय स्वास्थ्य और परिवार कल्याण मंत्री
2. डा० एस० एस० सिद्ध,
सचिव, स्वास्थ्य और परिवार कल्याण मंत्रालय
3. डा० सन्तप्पा,
कुलपति,
मद्रास विश्वविद्यालय,
4. डा० पी० चन्द्र,
डीन अखिल भारतीय आयुर्विज्ञान संस्थान।

[सं० वी० 16011/4/82—एम ई (पी जी)]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Deptt. of Health)

New Delhi, the 6th July, 1983

S.O. 3162.—In pursuance of clause (e) of Section 4 of the All India Institute of Medical Sciences Act, 1956 (25 of 1956), the Central Government hereby nominates Prof. (Mrs.) Archana Sharma, Department of Botany, University College of Sciences Calcutta, a non-medical scientist, representing the Indian Science Congress Association and the following persons to be members of the All India Institute of Medical Sciences, New Delhi, namely:—

1. Shri B. Shankaranand,
Union Minister for Health and Family Welfare
2. Dr. S. S. Sidhu,
Secretary,
Ministry of Health and Family Welfare.
3. Dr. Santappa,
Vice-Chancellor,
Madras University, Madras.
4. Dr. P. Chandra,
Dean, All India Institute of Medical Sciences,
New Delhi.

[No. V. 16011/4/82-ME(PG)]

नई दिल्ली, 11 जुलाई, 1983

का० आ० 3163—अखिल भारतीय आयुर्विज्ञान संस्थान अधिनियम 1956 (1956 का 25) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा केन्द्रीय स्वास्थ्य और परिवार कल्याण मंत्री श्री बी० शंकरानन्द को अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली का अध्यक्ष मनोनीत करती है।

[सं० वी० 16011/4/82—एम० ई० (पी० जी०)]

New Delhi, the 11th, July, 1983

S.O. 3163.—In exercise of the powers conferred by sub-section (1) of Section 7 of the All India Institute of Medical Sciences Act, 1956 (25 of 1956), the Central Government hereby nominates Shri B. Shankaranand, Union Minister for Health and Family Welfare, to be the President of the All India Institute of Medical Sciences, New Delhi.

[No. V. 16011/4/82-ME(PG)]

नई दिल्ली 6 जुलाई, 1983

का० आ० 3164:— अखिल भारतीय आयुर्विज्ञान संस्थान नियम 1956 के नियम 3 के साथ पठित अखिल भारतीय आयुर्विज्ञान संस्थान अधिनियम, 1956 (1956 का 25) की धारा 4 के खंड (च) के अनुसरण में केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली के सदस्य मनोनीत करती है, अर्थात्:—

1. डा० शमेर सिंह,
कार्यकारी निदेशक,
आयुर्विज्ञान संस्थान,
बनारस हिन्दू विश्वविद्यालय, वाराणसी (उ० प्र०)
2. डा० आर० जी० पवार,
डीन, एम० पी० शाह मेडिकल कालेज,
जाम नगर तथा डीन,
फैकल्टी आफ मेडिसिन,
सौराष्ट्र विश्वविद्यालय,
राजकोट, गुजरात।
3. डा० एन० जमान,
प्रिंसिपल एवं अध्यक्ष शल्यचिकित्सा विभाग,
मेडिकल कालेज,
डिब्रूगढ़ (असम)।
4. डा० बी० एस० चीने,
डीन, चिकित्सा संकाय,
नागपुर विश्वविद्यालय, नागपुर

[सं० वी० 16011/4/82-एम ई० (पी० जी०)]

New Delhi, the 6th July, 1983

S.O. 3164.—In pursuance of clause (f) of Section 4 of the All India Institute of Medical Sciences, 1956, (25 of 1956), read with the rule 3 of the All India Institute of Medical Sciences Rules, 1958 the Central Government hereby nominates the following persons to be Members of the All India Institute of Medical Sciences, New Delhi, namely:

1. Dr. Shanmer Singh, Acting Director,
Institute of Medical Sciences,
Banaras Hindu University, Varanasi, U.P.
2. Dr. R.G. Pawar, Dean,
M.P. Shah Medical College, Jamnagar
and Dean, Faculty of Medicine,
University of Saurashtra, Rajkot, Gujarat.
3. Dr. N. Zaman,
Principal and Head of Department of Surgery,
Medical College, Dibrugarh (Assam).
4. Dr. B.S. Choubey
Dean, Faculty of Medicine,
Nagpur University, Nagpur.

[No. V.16011/4/82-ME(PG)]

क० आ० 3165.—अखिल भारतीय आयुर्विज्ञान संस्थान अधिनियम, 1956 (1956 का 25) की धारा 4 के खंड (घ) के अनुसरण में, केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली का सदस्य मनोनित करती है, अर्थात्:—

- 1 श्रीमती सरला ग्रेवाल,
सचिव,
शिक्षा और संस्कृति मंत्रालय
—शिक्षा और संस्कृति मंत्रालय की प्रतिनिधि।

2. संयुक्त सचिव (बिस्तीय सलाहकार)
स्वास्थ्य और परिवार कल्याण मंत्रालय
—बिस् मंत्रालय का प्रतिनिधि।

[संख्या वो० 16011/4/82-एम० ई० (पी० जी०)]

पी० पी० चौहान, संयुक्त चिव

S.O. 3165.—In pursuance of clause (d) of Section 4 of the All India Institute of Medical Sciences Act, 1956 (25 of 1956), the Central Government hereby nominates the following persons to be members of the All India Institute of Medical Sciences, New Delhi, namely:—

- | | |
|---|--|
| 1. Smt. Sarla Grewal
Secretary
Ministry of Education
and Culture. | —Representative of the
Ministry of Education and
Culture |
| 2. Joint Secretary
(Financial Adviser)
Ministry of Health &
Family Welfare | Representative of the
Ministry of Finance |

[No. V.16011/4/82-ME(PG)]

P. P. CHAUHAN, Jt. Secy.

ग्रामीण विकास मंत्रालय

नई दिल्ली, 25 जुलाई, 1983

का०आ० 3166.—प्याज श्रेणीकरण और चिन्हांकन नियम, 1964 का और संशोधन करने के लिए नियमों का निम्नलिखित प्रारूप, जिसे केन्द्रीय सरकार, कृषि उपज (श्रेणीकरण और चिन्हांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बनाना चाहती है, उक्त धारा की अपेक्षानुसार ऐसे सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जाता है, जिनके उससे प्रभावित होने की संभावना है। इसके द्वारा यह सूचना दी जाती है कि उक्त प्रारूप पर इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिन की समाप्ति पर या उसके पश्चात् विचार किया जाएगा।

ऐसे आशेषों या सुझावों पर जो ऊपर विनिर्दिष्ट तारीख से पहले उक्त प्रारूप की बाबत किसी व्यक्ति से प्राप्त होंगे, केन्द्रीय सरकार उन पर विचार करेगी।

प्रारूप नियम

1. इन नियमों का संक्षिप्त नाम प्याज श्रेणीकरण और चिन्हांकन (संशोधन) नियम, 1983 है।

2. प्याज श्रेणीकरण और चिन्हांकन नियम, 1964 की—
(i) अनुसूची 2 में —

(क) शीर्षक में “पूना प्याज” शब्दों के स्थान पर “पुणे प्याज (फोल फसल से भिन्न)” शब्द और कोष्ठक रखे जाएंगे;

(ख) “रंग” शीर्षक के नीचे “हल्के से गहरा लाल” शब्दों के स्थान पर “हल्के से गुलाबी” शब्द रखे जाएंगे;

(ii) (क) अनुसूची 3 में “नासिक” शब्द के पश्चात् “पुणे और धुलिया” शब्द अंतःस्थापित किए जाएंगे;

(ख) “रंग” शीर्षक के नीचे “हल्के से गहरा लाल” शब्दों के स्थान पर “गुलाबी, लाल से गहरा लाल” शब्द रखे जाएंगे;

(ग) विद्यमान पाद टिप्पणी से पूर्व निम्नलिखित पाद-टिप्पण अंतःस्थापित किया जाएगा, अर्थात्:—

“फोल फसल” से खरीफ के मौसम में उपजाए गये प्याज अभिप्रेत है।

टिप्पण: (1) मूल नियम भारत के राजपत्र, भाग 2, खंड 3 (ii) तारीख 27-6-1964 में भारत सरकार के खाद्य और कृषि मंत्रालय (कृषि विभाग) की अधिसूचना सं० का० आ० 2213, तारीख 15-6-1964 के अधीन प्रकाशित किए गये।

(2) प्रथम संशोधन भारत के राजपत्र भाग 2, खंड 3 (ii) तारीख 27-11-1965 में भारत सरकार के खाद्य और कृषि मंत्रालय के का०आ० 3630 के रूप में अधिसूचना सं० 15-24/65-ए०एम० तारीख 12-11-1965 के अधीन प्रकाशित किया गया।

(3) द्वितीय संशोधन भारत के राजपत्र भाग 2, खंड 3 (ii) तारीख 1-4-1967 में भारत सरकार के खाद्य और कृषि मंत्रालय के का०आ० सं० 1205 के रूप में अधिसूचना सं० 15-5/66-ए०एम० तारीख 31-3-1967 के अधीन प्रकाशित किए गये।

(4) तृतीय संशोधन भारत के राजपत्र भाग 2, खंड 3 (ii) तारीख 20-7-1968 में भारत सरकार के खाद्य और कृषि मंत्रालय के का०आ० सं० 2570 के रूप में अधिसूचना सं० 13-29/67-ए०एम०, तारीख 10-7-1968 के अधीन प्रकाशित किए गये।

(5) चतुर्थ संशोधन भारत के राजपत्र भाग 2, खंड 3 (ii) तारीख 6-10-1979 में भारत सरकार के ग्रामीण पुनर्निर्माण मंत्रालय के का०आ० सं० 3420 के रूप में अधिसूचना सं० 13-2/77-ए०एम०, तारीख 22-9-1979 के अधीन प्रकाशित किए गये।

[सं० 10/2/83-ए०एम०]

विभा पुरी, अवर सचिव

MINISTRY OF RURAL DEVELOPMENT

New Delhi, the 25th July, 1983

S.O. 3166.—The following draft of certain rules further to amend the Onions Grading and Marking Rules, 1964 which the Central Government proposes to make in exercise of powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the expiry of forty-five days from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified above will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Onions Grading and Marking (Amendment) Rules, 1983.

2. In the Onions Grading and Marking Rules, 1964,—

(i) In Schedule II,—

(a) In the heading for the words "Poona Onions" the words and brackets "Pune Onions (other than Pholcrop)" shall be substituted;

(b) Under the heading "Colour", for the words "Light to Deep Red", the words "Light to Rosy" shall be substituted;

(ii) In Schedule III,—

(a) In the heading, after word "Nasik", the words "Pune and Dhulia" shall be inserted;

(b) under the heading "Colour", for the words "Light to Deep Red", the words "Pink, Red to Dark Red" shall be substituted;

(c) the following foot note shall be inserted before the existing notes, namely :—

"Phol Crop" means the Onions grown during Kharif season'.

Notes : (i) Principal rules were published under the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. S.O. 2213, dated 15-6-1964 in the Gazette of India, Part II, Section 3 (ii), dated 27-6-1964.

(ii) First amendment was published under the notification No. 15-24/65-AM dated 12-11-1965 of the Ministry of Food and Agriculture as S.O. No. 3630 in the Gazette of India, Part II, Section 3(ii), dated 27-11-1965.

(iii) Second amendment was published under the notification No. 15-5/66-AM, dated 31-3-1967 of the Ministry of Food and Agriculture as S.O. No. 1205 in the Gazette of India, Part II, Section 3(ii), dated 1-4-1967.

(iv) Third amendment was published under the notification No. 13-29/67-AM, dated 10-7-1968 of the Ministry of Food and Agriculture as S.O. No. 2570 in the Gazette of India, Part II Section 3(ii) dated 20-7-1968.

(v) Fourth amendment was published under the notification No. F. 13-2/77-AM, dated 22-9-1979 of the Ministry of Rural Reconstruction as S.O. No. 3420 in the Gazette of India, Part II, Section 3(ii), dated 6-10-1979.

[No. 10-2/83-AM]

VIBHA PURI, Under Secy.

राष्ट्रीय कृषि और ग्रामीण विकास बैंक

बम्बई, 25 जुलाई 1983

का० आ० 3167 :—राष्ट्रीय कृषि और ग्रामीण विकास बैंक सामान्य विनियमवली, 1982 के विनियम 8 द्वारा प्रदत्त शक्तियों के अनुसंधान में, राष्ट्रीय बैंक का बोर्ड इसके द्वारा निम्नलिखित अधिकारियों को राष्ट्रीय बैंक के लिए और उनको आर से निम्नलिखित हस्ताक्षर करार के लिए प्राधिकृत करता है, अर्थात् :—

1. राष्ट्रीय बैंक के मुख्य महाप्रबंधक, महाप्रबंधक, उप महाप्रबंधक और प्रबंधकों में से प्रत्येक को, स्वतंत्र रूप से कार्य करते हुए पट्टा विलेख, अनुरण, अभिहस्तोत्तरण, प्रभारों और राष्ट्रीय बैंक के चालू और अधिकृत कारोबार हेतु अपेक्षा अवलम्बित से संबंधित अन्य विलेखों जो उस सम्पत्ति से सम्बद्ध अधिकारों का प्रभावित करते हैं, का निष्पादन करने के लिए।

(ii) राष्ट्रीय बैंक के मुख्य महाप्रबंधक, महाप्रबंधक, उप महाप्रबंधक और प्रबंधकों में से प्रत्येक को, स्वतंत्र रूप से कार्य करते हुए विलेखों का पृष्ठांकन और अनुरण, स्टाम्प रनोदे, स्टाम्प, कृष्ण पत्र, शेयर, प्रतिभूतियों और वस्तुओं पर स्वत्वपत्रों के प्रलेख जो राष्ट्रीय बैंक के नाम में हैं उल्लेख उनके द्वारा प्राप्त हैं, राष्ट्रीय बैंक के चालू तथा अधिकृत कारोबार से संबंधित विलेखों, विलेखों और अन्य प्रलेखों के अनुरण, स्वीकृति और पृष्ठांकन के निष्पादन के लिए।

(iii) राष्ट्रीय बैंक के मुख्य महाप्रबंधक, महाप्रबंधक, उप महाप्रबंधक, प्रबंधक और उप प्रबंधकों में से प्रत्येक को स्वतंत्र रूप से कार्य करते हुए करार, संविदा और राष्ट्रीय बैंक के चालू और अधिकृत कारोबार से संबंधित अन्य दस्तावेजों पर हस्ताक्षर करार के लिए।

(iv) राष्ट्रीय बैंक के मुख्य महाप्रबंधक, महाप्रबंधक, उप महाप्रबंधक, प्रबंधक, उप प्रबंधक और विकास अधिकारियों में से प्रत्येक को, स्वतंत्र रूप से कार्य करते हुए सभी लेखों, रसीदों और राष्ट्रीय बैंक के चालू और अधिकृत कारोबार से संबंधित अन्य पत्रचार पर हस्ताक्षर के लिए।

(v) भारत का राजदूत, न्यायदूत या विदेश में भारतीय राजदूतावास या मिशन में कोई मंत्री प्रत्येक को, स्वतंत्र रूप से कार्य करते हुए भारत में कृषि और अन्य परियोजनाओं के लिए विस्तीर्ण सहकारिता से संबंधित परियोजना करारों और अन्य दस्तावेजों पर हस्ताक्षर के लिए।

[एन० बी० सेकी 71/सी-4/83-84]

मा० रामकृष्णय्या, अध्यक्ष

NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT

Bombay, the 25th July, 1983

S.O. 3167.—In pursuance of the powers conferred by Regulation 8 of the National Bank for Agriculture and Rural Development General Regulations, 1982, the Board of the National Bank hereby authorises the incumbents of the undernoted appointments to exercise signing powers for and on behalf of the National Bank as shown below, namely :—

- I. The Chief General Manager, General Managers, Deputy General Managers and Managers of the National Bank, each of them acting singly, to execute lease deeds, transfers, conveyances, charges and other deeds relating to or affecting rights to or in immovable property required for the current and authorised business of the National Bank.
- II. The Chief General Managers, General Managers and Deputy General Managers, Managers and Deputy Managers of the National Bank, each of them acting singly, to endorse and transfer promissory notes, stock-receipts, stocks, debentures, shares, securities and documents of title to goods standing in the name of or held by the National Bank and to draw, accept and endorse bills of exchange and other instruments in the current and authorised business of the National Bank.
- III. The Chief General Managers, General Managers, Deputy General Managers, Managers and Deputy Managers of the National Bank, each of them acting singly, to sign agreements, contracts and other documents connected with the current and authorised business of the National Bank.
- IV. The Chief General Managers, General Managers, Deputy General Managers, Managers, Deputy Managers and Development Officers of the National Bank, each of them acting singly, to sign all accounts, receipts and correspondence connected with the current and authorised business of the National Bank.
- V. India's Ambassador, Charge D' Affairs or any Minister in an Indian Embassy or Mission abroad, each of them acting singly, to sign the project agreements and other documents connected with financial assistance to Agricultural and other projects in India.

[N. B. Secy. 71/C-4/83-84]

M. RAMAKRISHNAYYA, Chairman

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 30 जुलाई, 1983

का० आ० 3168 :— गोदी कर्मकार (नियोजन का विनियमन) के नियम 4 के उपनियम (1) के त्वासे परन्तुक्त के साथ पठित गोदी कर्मकार (नियोजन का विनियमन) अधिनियम 1948 (1948 का 9) की धारा 5-ए की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री सियानो परेरा के, जिन्होंने अपना पद त्याग दिया है स्थान पर श्री बी० एस० मनरेकर को मार्मुगा डाक लेबर बोर्ड का सदस्य नियुक्त करती है और इस प्रयोजन के लिए केन्द्रीय सरकार नौवहन और परिवहन मंत्रालय (परिवहन

पक्ष) की अधिसूचना सं० का० आ० 2969 दि० 10.8.82 में निम्नलिखित संशोधन करती है :—

“उक्त अधिसूचना में, गोदी कर्मकारों और परिवहन कम्पनियों के कर्मचारियों के प्रतिनिधि सदस्य” शीर्ष के अन्तर्गत, मद सं० 1 के सामने प्रविष्टि “श्री सियानो परेरा” के स्थान पर “श्री बी० एस० मनरेकर” प्रविष्टि रखी जाए।

[फा० नं० एल जी जी/6/83-यू एस (एल) (ii)]

नोट :— मुख्य अधिसूचना में जो का० आ० 2969 दिनांक 10.8.82 द्वारा प्रकाशित हुआ था निम्नलिखित अधिसूचनाओं द्वारा संशोधन किया गया :

- (1) का० आ० सं० 4201 दिनांक 30-11-1982
- (2) का० आ० सं० 2120 दिनांक 14-5-1983

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 30th July, 1983

S.O. 3168.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) read with the second proviso to sub-rule (1) of rule 4 of the Dock Workers (Regulation of Employment) Rules, 1962, the Central Government hereby appoints Shri V. S. Manerkar as a member of the Mormugao Dock Labour Board vice Shri Ciano Pereira who has vacated his office and for that purpose amends the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) S.O. 2969 dated the 10th August, 1982 as follows :—

In the said notification, under the heading “Members representing the employers of Dock Workers & Shipping Companies”, against item number 1, for the entry “Shri Ciano Pereira”, the entry “Shri V. S. Manerkar” shall be substituted.

[F. No. LDG/6/82-US(L)(ii)]

Note :—The principal notification as published vide S.O. No. 2969 dated 10-8-82 was amended vide notifications mentioned below :

- (1) S.O. No. 4201 dated 30-11-1982.
- (2) S.O. No. 2120 dated 14-5-1983.

नई दिल्ली, 3 अगस्त, 1983

का० आ० 3169 :— यतः श्री सियानो परेरा को, भारत सरकार, नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं० का० आ० 2969 दिनांक 10-8-82 द्वारा मार्मुगाव नौभरक एसोसिएशन के प्रतिनिधि के रूप में मार्मुगाव डाक लेबर बोर्ड का सदस्य नियुक्त किया गया था।

और यतः मार्मुगाव नौभरक एसोसिएशन ने अब श्री बी० एस० मनरेकर को अपना प्रतिनिधि नामित किया है।

और यतः केन्द्रीय सरकार की यह राय है कि गोदी कर्मकार (नियोजन का विनियमन) नियम, 1962 के नियम 4 के उपनियम (5) के खंड (VI) के अन्तर्गत सियानो परेरा के अपना पद खाली कर दिया माना गया है।

और यतः उक्त डाक लेबर बोर्ड में एक स्थान खाली हो गया है।

अब, इसलिए, केन्द्रीय सरकार मोदी कर्मकार (नियोजन का विनियम), नियम 1962 के नियम 4 के उपबन्धों के अनुसरण में उक्त रिक्ति को एतद्वारा अधिसूचित करती है।

[फा० सं० एल डी जी/6/82-यु एस (एल) (i)],

बी० शंकर लिंगम, उप सचिव

नोट : मुख्य अधिसूचना में, जो का० आ० सं० 2969 दिनांक 10-8-82 द्वारा प्रकाशित की गई थी, निम्न-लिखित अधिसूचनाओं द्वारा संशोधन किया गया :

(1) का० आ० सं० 4201 दिनांक 30-11-182

(2) का० आ० सं० 2120 दिनांक 14-5-83

New Delhi, the 3rd August, 1983

S.O. 3169.—Whereas Shri Ciano Pereira was appointed as a member of the Mormugao Dock Labour Board being a representative of the Mormugao Stevedores Association by notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 2969 dated the 10th August, 1982;

And whereas the Mormugao Stevedores Association has now nominated Shri V.S. Manerkar as the representative of their Association.

And whereas the Central Government is of the opinion that Shri Ciano Pereira is deemed to have vacated his office under-clause (vi) of sub-rule (5) of rule 4 of Dock Workers (Regulation of Employment) Rules, 1962;

And whereas a vacancy has occurred in the said Dock Labour Board;

Now, therefore, in pursuance of the provisions of rule 4 of the Dock Workers (Regulation of Employment) Rules, 1962, the Central Government hereby notifies the said vacancy.

[File No. LDG/6/82-US(L) (i)]

V. SANKARALINGAM, Dy. Secy.

Note :—The principal Notification as published vide S.O. No. 2969 dated 10th August, 1982 was amended vide notifications mentioned below :

(1) S.O. 4201 dated 30-11-1982.

(2) S.O. No. 2120 dated 14-5-1983.

संचार मंत्रालय

डाक तार बोर्ड

नई दिल्ली, 27 जुलाई, 1983

का०आ० 3170.—स्थायी आदेश संख्या 627 दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने ट्रक्शरामा/कोटिपालि/अलामुरु/अटचरामपुरम/अंगारा/देवानाकोन्डा टेलीफोन केन्द्र में दिनांक 16-8-1983 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-8/83 पी एच बी (i)]

MINISTRY OF COMMUNICATIONS

(P&T Board)

New Delhi, the 27th July, 1983

S.O. 3170.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 16-8-83 as the date on which the Measured Rate System will be introduced in Draksharama/Kotipalli/Alamuru/Atchutaputnam/Angara & Devanakonda Telephone Exchange Andhra Pradesh Circle.

[No. 5-8/83-PHB (1)]

का०आ० 3171.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने पथिकोन्डा/कुन्कालामारु/तिनामुपारम/बी निदामानूर/पोथुकटाला/चगरलामुदि टेलीफोन केन्द्र में दिनांक 16-8-83 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-8/83-पी एच बी (2)]

S.O. 3171.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 16-8-83 as the date on which the Measured Rate System will be introduced in Pathikonda/Kunkalamuru/T. Naidupalem/B. Nidamanur/Pothukatta/Jagarlamudi Telephone Exchange Andhra Pradesh Circle.

[No. 5-8/83-PHB (2)]

का०आ० 3172.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने वि०० कोटा/लिन्गासमन्दम/नमन्दा/पोचिनाबरीपल्लम/ईस्टगन्नावारम/तल्लूर टेलीफोन केन्द्र में दिनांक 16-8-83 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-8/83-पी एच बी (3)]

S.O. 3172.—In pursuance of para (a) Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 16-8-83 as the date on which the Measured Rate System will be introduced in V. R. Kota/Lingasamudram/Nagandla/Pochinavaripalem/E. Gannavaram/Tallur Telephone Exchange A. P. Circle.

[No. 5-8/83-PHB (3)]

का०आ० 3173.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने तिरिपुरनतक/गोलापालि/काकाराला/पामुरु/चिमाकुरति/बलापालम/वोनाकोन्डा टेलीफोन केन्द्र में दिनांक 16-8-83 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-8/83-पी एच बी (4)]

S.O. 3173.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 16-8-83 as the date on which the Measured Rate System will be introduced in Tripurantakam/Gollapalli/Kakarala/Pamuru/Chimakurthi/Wollapalem/Donakonda Telephone Exchange Andhra Pradesh Circle.

[No. 5-8/83-PHB (4)]

का० आ० 3174:—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड-III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने जी पेडा पुडि/गोकावरम/रनगमपेटा/लकावरम/गुदापालि/पसारलापुडि टेलीफोन केन्द्र में दिनांक 16-8-83 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-8/83—पी एच बी (5)]

S.O. 3174.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 16-8-83 as the date on which the Measured Rate System will be introduced in G. Pedapudi/Gokavaram/Rangampeta/Lakkavaram/Godapalli/Pasarlapudi Telephone Exchange Andhra Pradesh Circle.

[No. 5-8/83-PHB (5)]

का० आ० 3175:—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड-III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने ततिपका/पोनामन्डा/अम्बाजिपेटा/मुक्कामाला/बीटापुडि/वडालामनाडा टेलीफोन केन्द्र में दिनांक 16-8-83 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-8/83-पी एच बी (6)]

आर० सी० कटारिया, सहायक महानिदेशक (पी०एच०ए०)

S.O. 3175.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 16-8-83 as the date on which the Measured Rate System will be introduced in Tatipaka/Ponnamanda/Ambajipeta/Mukkamala/Betapudi/Vadlamannada Telephone Exchange Andhra Pradesh Circle.

[No. 5-8/83-PHB (6)]

R. C. KATARIA, Asstt. Director General (PHB)

MINISTRY OF LABOUR

(Department of Labour)

New Delhi, the 30th July, 1983

S.O. 3176.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen which was received by the Central Government on the 23rd July, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

PRESENT :

Justice M. D. Kambli Esqr., Presiding Officer.

Reference No. CGIT-16 of 1981

PARTIES :

Employers in relation to Bombay Port Trust, Bombay.

AND

Their Workman

APPEARANCES :

For the employers—Mr. H. P. Sarkar, Dy. Legal Advisor.

For Transport & Dock Workers' Union—Mrs. Leela Mehta, Advocate.

STATE : Maharashtra. INDUSTRY : Ports & Docks

Bombay, dated the 30th day of June, 1983

AWARD

The Government of India, Ministry of Labour, by order No. L-31012/5/81-D.IV(A) dated 4th August, 1981, in exercise of the powers conferred by clause (d) of sub section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay, and their workman in respect of the matters specified in the schedule mentioned below :—

SCHEDULE

"Whether the management of Bombay Port Trust, Bombay are justified in dismissing Shri S. D. Shetty, Head Vendor of their departmental Canteen, from service with effect from the 28th June, 1979? If not, to what relief is the concerned workman entitled?"

2. The workman, S. D. Shetty, was employed as Head Vendor (canteen) in the Chief Labour Officer's Department of the employers from 21-11-1955. He was working at the Blue Gate, Indira Dock Canteen. On 15-2-1978 in the first shift he was posted to work at the sales counter for serving tea and eatables to the customers against coupons and to tear (by way of cancelling) them after issue of the eatables. On that day S. L. Manjrekar, Welfare Officer of the employers paid a surprise visit to the said canteen at about 12.35 P.M. along with one Petkar, Apprentice, Supervisor of the Chief Mechanical Engineer's Department. According to the employers, Manjrekar noticed while standing outside the sales counter that the workman was accepting money from the customers and was returning the balance amount to them. Manjrekar, thereafter, went inside the sales counter and asked the workman why he was accepting money from the customers. According to the employers, the workman had no answer to this question and was found trembling. Manjrekar sent for S. G. Datar, Canteen Manager of the said canteen and asked the workman to wait by his side. At this juncture the workman went to the bathroom and bolted the bathroom door from inside. When the workman came out of the bathroom Manjrekar also put his hand in the drain pipe and took out was anything in the drain pipe of the bathroom. On searching the drain pipe, some coins were found inside the drain pipe. Manjrekar also put his hand in the drain pipe and took out some coins in the presence of Petkar, Datar and Tawde. The coins thus recovered were four coins of Re. 1 denomination, one coin of 25 paise, 13 coins of 10 paise and two coins of 5 paise, totaling to Rs. 5.65. The workman was therefore, proceeded against departmentally for engaging in unauthorised transaction of sale of tea and eatables without coupons and collecting money with the intention of making a fraudulent gain. The workman was charge-sheeted for having committed the misconduct under rule 22(2)(b) and (g) of B.P.T. Rules & Regulations for Non-Scheduled Staff read with Regulations 8 and 12 of the B.P.T. Employees' (Classification, Control & Appeal) Regulations, 1976.

3. A charge-sheet dated 6-4-1978 was issued to the workman by his letter dated 14-4-1978 replied to the charge-sheet denying the charges levelled against him. Thereafter a departmental inquiry was instituted against the workman. One S. C. Makhija, the then Junior Assit. Legal Adviser (Inquiries) was appointed as the inquiry officer to inquire into the charge framed against the workman. He found him guilty of the said charges levelled against him. The Deputy Chairman of the Bombay Port Trust agreed with the findings of the inquiry officer and held that the workman was not a fit person to be retained to the service of the employers. Accordingly, the Deputy Chairman by his memo dated 6-3-1979, called upon the workman to show-cause why the proposed punishment of dismissal should not be imposed upon him. The workman sent his reply on 16-3-1979. The Deputy Chairman to whom the employers had then delegated the powers of appointment, dismissal, etc., in respect of the staff working under him found that the said reply was not satisfactory. He therefore, passed an order dismissing the workman. The employers, on the facts submitted that their action in dismissing the workman, Shetty, be held as justified.

4. The Bombay Port Trust Employees' Union (hereinafter referred to as the "Union") in its statement of claim pleaded as follows. The inquiry held against the workman for the alleged misconduct was against the principles of natural justice. The findings of the inquiry officer were baseless, perverse and contrary to the evidence on record. The proceedings against the workman were not before an impartial person and the workman did not get an adequate opportunity to defend himself. The findings of the inquiry officer were not supported by any legal evidence and were not justified in the circumstances of the case. It was pleaded that there was no sufficient evidence to prove the charges and that the punishment awarded to the workman was too harsh. The Union, therefore, submitted that the workman be reinstated in service with full back wages.

6. By its rejoinder the employers pleaded that the inquiry conducted against the workman was fair and proper and did not suffer from any infirmity. It was further pleaded that the workman had no clean unblemished record in the past and he was cautioned various times for attending the office late between October 1971 and September 1982.

7. I held the preliminary inquiry on the question whether the departmental inquiry conducted against the workman was fair and proper. No oral evidence was led by the parties on this point. No any infirmity in the conduct of the inquiry was brought to my notice in the course of the arguments. I, therefore, held that the inquiry was fair and proper. The reference was, therefore, ordered to be heard on merits.

8. The question for consideration is whether there is sufficient evidence to prove the charges against the workman. The department examined four witnesses viz., Manjrekar, Welfare Officer, Petkar, Apprentice Supervisor, B.P.T. workshop, Datar, Canteen Manager, Grade II, Blue Gate, Indira Dock Canteen Tawde, who was working as a canteen boy at Prince's Dock canteen. The defence of the workman was that on one occasion some two years back, the workman had refused to give evidence against one canteen employee by name Vaidya, and Welfare Officer Manjrekar was insisting upon the workman to give the evidence; the workman gave a statement which was not helpful to Manjrekar. Manjrekar had then threatened him that he would take revenge. On the day of incident Manjrekar went to the canteen where the workman was working accompanied by Petkar who is on close and intimate terms with Manjrekar. Manjrekar took the help of Petkar in inserting coin in the mullu top of the bathroom and falsely alleged that the workman had put coins in the gully top. In short, the defence of the workman was that on the day of the incident he had not put the coins or the cash alleged to have been recovered from the gully top of the bathroom that he was falsely implicated in this case by Manjrekar. In support of his defence the workman examined himself and three other witnesses. One Tukaram Katkar was examined to show that Manjrekar and Krishna are on friendly terms. One Tambe, who was working as a vendor at the Blue Gate, Indira Dock canteen was examined to show that on the day in question he was working at the eatables counter and at about

12.30 P.M. Manjrekar came in the canteen and started firing the workman as to why he had sold the eatables against cash to the customers; that the workman denied the allegation and requested Manjrekar to show him the alleged customers. Thereafter, Manjrekar told him to call the Canteen Manager and accordingly he went to the office of the Canteen Manager to call him. He did not know what happened thereafter. One Bundeekar was examined on behalf of the workman who stated that two years ago he was working as a vendor at Victoria Dock Canteen; that he knew that in that canteen one Vaidya, coupon seller, was caught by Manjrekar for misappropriating the coupon account. He stated in his evidence that at that time the workman Shetty was handing over some paper to Manjrekar and Manjrekar then gave a threat to the workman that he would take a revenge as the workman was not disclosing him the facts.

9. Manjrekar stated in his evidence before the inquiry officer that as Welfare Officer his duty, inter alia, was to exercise supervision over canteens. His evidence, so far as is material to prove the alleged incident was to the following effect. Eatables are always sold in the canteen against the coupons during the first and the second shift and in the third shift it is sold against cash. When a customer enters the canteen he purchases the coupon and then he goes to the sales counter where he hands over the coupon to the vendor in exchange of eatables. After delivering the eatables in exchange of coupon, the vendor should tear the coupon and keep it in the box. At the end of the shift the said coupons are destroyed. On 15-2-1978 at about 12.30 P.M. when he entered the canteen and went near the sales counter along with Petkar he saw that the workman who was posted at the sales counter was taking money and giving the eatables to the customers. When he saw this he immediately went inside the sales counter and asked him why he was selling the eatables against cash. He did not reply to his question and started moving from one place to another. He ran away from the place and entered the bathroom and bolted it from inside. He then sent for canteen Manager, Datar. Datar came there. He (Manjrekar), Datar and Petkar were waiting outside the bathroom. When the workman came out after about five minutes from the bathroom they all three went inside and searched the bathroom. As nothing was found he called canteen boy Tawde, to search the gully top (mori) of the bathroom. Tawde put his hand inside the gully top and took out some coins. Manjrekar proceeds to say that he also put his hands in the mori and took out some coins. The coins thus recovered amounted to Rs. 5.65. After counting the coins he asked the workman as to why he had put the coins in the mori (gully top). The workman then asked for pardon. The workman refused to give a statement in writing. Thereafter, he recorded the statements of Datar, Petkar and Tawde and sent the same along with his report to the Chief Labour Officer.

10. The above version of Manjrekar is substantially supported by Petkar. He stated that after the workman was questioned by Manjrekar about his taking money from the customers in spite of Manjrekar telling the workman to wait at the place, the latter went to the bathroom. He was inside the bathroom for four to five minutes. The coins were thereafter recovered from the mori (gully top). Canteen boy Tawde stated in his evidence before the inquiry officer that he was called by Manjrekar at the material time. He then went inside the sales counter and then they all (Manjrekar, Datar, Patkar and he himself) went inside the bathroom. At the instance of Manjrekar he put his hand in the mori (gully top), and took out some coins from the mori. Thereafter, Manjrekar also put his hand in the mori and took out some coins. After collecting all the coins they all came to the office of the Canteen Manager. Tawde stated that the workman was then very nervous.

11. The evidence of Datar, the Canteen Manager, was to the following effect. On 15-2-1978 the workman Shetty was working as a head vendor at the sales counter. At about 12.30 P.M. he (Datar) was called by Manjrekar at the sales counter. He then noticed that Manierkar and Petkar

were standing in the passage outside that bathroom. At that time, the workman came out of the bathroom and started walking towards the left. Therefore, Manjekar followed him and asked him as to where he had been. The workman then told him that he had been to the bathroom. The workman then denied that he had accepted money from the customers against eatables. Manjekar then in an angry tone told the workman that he was selling eatables to the customers against cash and was denying that fact. Datar proceeded to state that in the meantime Petkar went inside the bathroom and after two-three minutes called him and Manjekar. They then immediately went towards the bathroom, and Manjekar then requested him to put his hand in the mori (gully top). He refused to put his hand in the mori. He then went out in search of some person from Sanitary Department, who could be directed to put his hand in the mori. None was however, available. When he returned back he found that Manjekar and Petkar were inside the bathroom. On his informing Manjekar that the sweeper was not available he asked him (Datar) to call some canteen boy. Accordingly, he called one Tawde. Tawde put his hand in the Mori of the bathroom and took out some coins. Manjekar thereafter asked him (Tawde) to step aside and he himself put his hand and took out some more coins from the Mori. All of them then went to his room with the coins. Manjekar again fired the workman and asked him to apologise for selling the eatables to the customers against cash and that he would pardon him. Datar proceeded to say before the inquiry officer that the workman then told Manjekar that he had not accepted any cash from the customer and the question of his pardoning, therefore, did not arise. Manjekar, thereafter, asked the workman to give his statement in writing but the latter refused to do so. This is all the evidence adduced by the department.

12. The defence of the workman has can be gathered from the submissions made by his Advocate Mrs. Leela Mehta is that he did not sell eatables in the canteen by taking cash from the customers. Manjekar, the Welfare Officers, was ill-deposed a towards the workman before the workman had some two years back refused to give evidence against one Vaidya, who was also a canteen employee who had indulged in some malpractices. Manjekar insisted upon this workman to give evidence against Vaidya. The workman did not do so. Therefore, Manjekar had then threatened him that he would see him later on. It is the case of the defence that Manjekar took the help of Shri Petkar, who was his close friend and Petkar was asked to insert coins in the gully top of the bathroom. The coins were not put in the bathroom by the workman. He was falsely involved. Reliance was placed upon the statement of canteen Manager Datar examined for the department who stated in his deposition before the inquiry officer that just after the workman came out of the bathroom Petkar went inside the bathroom. Manjekar and he (Datar) went into the bathroom two or three minutes after Petkar had come there. On the basis this statement of Datar, canteen Manager, it was sought to be urged that Petkar must have put the coins in the drain pipe to falsely implicate the workman.

13. Manjekar in his cross-examination denied the suggestion that the workman had refused to give false evidence against Vaidya, coupon seller in the other canteen. He further denied the suggestion that on the refusal of the workman to give evidence against Vaidya he (Manjekar) felt insulted and had threatened him saying that he will take revenge. The defence examined one Bandekar to show that Manjekar had given a threat to the workman in the matter of Vaidya. Having gone through the evidence of Bandekar the inquiry officer was not inclined to believe him and I also find that he is also a vendor in the Princes Dock canteen and he has come forward to oblige this workman employed in the other canteen. At the very beginning of his examination-in-chief he began by stating that he did not know about any incident involving Vaidya at Victoria Dock canteen. He, however, corrected himself by saying that Vaidya was caught by Manjekar for mis-appropriating the coupon account. So far as the evidence of Bandekar and also the evidence of canteen Manager Datar is concerned, it is submitted on behalf of the management and with some substance that all these per-

sons were working in the canteens of the Bombay Port Trust were interested in protecting the workman. While dealing with the evidence of the canteen staff in favour of the present workman the inquiry officer observed :—

"In my opinion, it is not probable for the C.S.E. to commit the alleged offence all alone. It is not one-man-show. This offence can be committed only with the connivance of all the canteen employees including the Canteen Manager. One single Vendor cannot sell the eatables against cash at the sales counter without being noticed by other vendors. Therefore, it is not probable for that vendor to make money in dishonest way to the exclusion of other vendors present".

These observations are not altogether unjustified.

14. It appears that a copy of the statement of this workman in the matter of the incident of Vaidya is placed on record by the management. It appears from that document that the workman has stated there that Manjekar had found the coupons in the cash. However those coupons were given by one Noringrekar and that he was not concerned with that affair. It appears that Manjekar had caught Vaidya indulging in some malpractice with regard to the canteen coupons on 13-12-1975. The present incident involving the present workman is dated 15-2-1978. It does not appear probable that Manjekar will falsely involve the workman in the act of selling eatables in the canteen against cash instead of on coupons. The most important circumstance that is to be found against the workman is that after Manjekar allegedly caught him accepting cash from customers for the eatables issued to them the workman, in spite of the direction of Manjekar went to the bathroom. The workman has admitted this position in his deposition. He stated :—

"I told Shri Manjekar that I wanted to go for urinal by pointing out my index finger of the right hand. Shri Manjekar thereafter directed me to stand there and there, but I did not pay any heed to him and went to the lavatory. I was very nervous at that time as Shri Manjekar had questioned me."

It will thus appear that immediately after this workman was questioned by Manjekar he went to the bathroom in spite of Manjekar directing him not to go there. An attempt has been made to show that the workman had not gone to the bathroom but to the lavatory which are close to each other. However, all these witnesses of the department, including Datar, Canteen Manager, who wanted to support the workman on some other points stated that the workman had come out of the bathroom. The workman has given explanation in his deposition as to why he went to the bathroom. He stated that he was suffering from kidney trouble and doctor had advised him to immediately pass the urine as and when he felt the urge for it. The workman has not placed any evidence on record to show that he was suffering from kidney trouble and that he was so advised by his doctor. After the workman went to the bathroom and come out it was quite natural that Manjekar and others will out of curiosity, go to the bathroom to find out whether he had thrown away there the cash on his person, if any. Datar wanted to say that Petkar had gone first. That is also the version of the workman. However, Manjekar had stated that when Shetty came out after about five minutes from the bathroom they all three i.e. he himself, Petkar and Datar went inside and searched the bathroom. As nothing was found he then called canteen boy Towde to search the mori (gully top) of the bathroom. The version of Manjekar deserves to be preferred to that of the workman and Datar. There was no enmity between Petkar and the workman and Petkar is not likely to fall a prey to the request of Manjekar to insert the coins in the bathroom in order to falsely involve the present workman. If the circumstance that the workman went to the bathroom in spite of the direction of Manjekar not to go to the bathroom would not have been there some capital could have been made out of the entry of Manjekar and Petkar inside the bathroom. Admittedly, the workman had come to the bathroom first. Naturally, out of curiosity to find out whether the workman had put some cash there Manjekar accompanied

by two other persons went into the bathroom. The finding of the inquiry officer, therefore, who has discussed the evidence in detail that the coins were put in the drain pipe of the bathroom by the workman himself deserves to be accepted.

15. One of the points urged on behalf of the workman is that according to Manjrekar the workman was giving eatables to a lady by taking money. Manjrekar, however, did not detain that lady customer and record her statement. The explanation given by Manjrekar in his cross-examination in reply to question no. 14 was that if he had gone for the customer there was a chance of the workman running away from the scene and destroying the evidence against him. Another explanation given by Manjrekar is that the customer would not have supported him because she herself was also guilty to some extent by purchasing eatables with payment of money and not against coupons. It is true that the case of the department would have become stronger if the customer would have been examined. However, it is well settled that proof beyond reasonable doubt is not necessary while determining the guilt in departmental inquiries. Preponderance of probability is sufficient. The conduct of the workman in this case in running to the bathroom immediately after he was accosted by Manjrekar wherefrom the coins were recovered is a very crucial circumstance against the workman.

16. One more point urged on behalf of the workman requires to be noticed. Datar, the canteen Manager of the same canteen, was examined for the department. In the cross-examination on behalf of the workman he stated that he did not notice any shortage either in material or money and that the coupons tallied with the material prepared and balance on the day of incident. It is, however, not clear as to whom he tallied the sale coupons with the material in balance. If the sale coupons would have been tallied with the balance material immediately after this incident and no shortage was found in the balance material in the canteen, some inference in favour of the workman could have been drawn. However, apart from the fact that canteen Manager Datar does not appear to be totally an independent witness, the fact that he tallied the coupons with the balance material does not come to the aid of the workman as it is not clear when this exercise of tallying was done.

17. Even on reappreciating the evidence adduced before the inquiry officer I am of the view that the charge against the workman has been proved. The charge against the workman was that he had engaged in unauthorised transaction of sale of tea and eatables without coupons and collecting cash thereof with the intention of making a fraudulent gain. This, according to the management, is a misconduct under the Rules & Regulations for Non-Scheduled Staff of the Bombay Port Trust Rule 22(2)(b) speaks of the misconduct of fraud or dishonesty in connection with Port Trust work or property. A canteen vendor was not supposed to take cash in return for the eatables supplied to the customers. He was to sell those eatables against coupons only. It is, therefore, clear that the workman indulged in fraud or dishonesty in connection with the Port Trust property. The workman was also charged with the misconduct enumerated in rule 22(2)(g) which speaks of habitual breach of any law or procedure applicable to the establishment. It is in evidence that the administration viz., the Bombay Port Trust has issued instructions to the canteen staff to sell eatables against coupons only and not against cash. It is, however, not proved that this workman indulged in the act of selling tea and eatables to the customers habitually. He cannot, therefore, be held guilty of the misconduct under rule 22(2)(g) of the Rules & Regulations for Non-Scheduled Staff of the Bombay Port Trust.

18. The next question is whether the penalty of dismissal was justified. The Deputy Chairman, who appears to be the disciplinary authority has observed in his order dt. 15-5-1979 ex M-8 that the charges proved against the workman are grave in nature. Mrs. Leela Mehta, the learned counsel for the workman, strenuously submitted that in case it is held that the charges against the workman are proved the penalty of dismissal inflicted against the workman is too harsh, and would amount to victimisation. It is no doubt proved that the workman had taken money from the customers illegally in order to make gains for himself at the cost of the department. It is, however, not proved that he indulged in such acts previously. The only thing alleged against him so far as his past record is concerned is that he was once in 1972 cautioned for attending the office late on eight occasions between October 1971 and

September 1972. The workman has put in about 28 years of service. I am, therefore, inclined to take a view that the penalty of dismissal passed against the workman is too severe. I think that in the facts and circumstances of the case, withholding of one increment with future effect will be adequate punishment for this workman. This will not affect the future increments, if any, due to the workman under the Rules and Regulations prevailing at the material time. The workman will be entitled to reinstatement. In view of the misconduct proved to have been committed by him, he should not be given back wages. His conduct is not free from blemish and he is proved to be a dishonest man.

19. I, therefore, answer the reference by holding that the charge against the workman for misconduct under rule 22(2)(b) of the Bombay Port Trust Rules and Regulations for Non-Scheduled Staff has been proved. The charge under rule 22(2)(g) of the said Rules and Regulations has not been proved. The penalty of dismissal passed against him is too harsh. Withholding of one increment with future effect will be a sufficient punishment for the workman. He will be entitled to be reinstated in service without any back wages.

20. My award accordingly. No order as to costs.

Sd/-

M. D. KAMBLI, Presiding Officer.

[No. L-31012/5/81/D-IV(A)]

R. K. GUPTA, Desk Officer.

New Delhi, the 28th July, 1983

S.O. 3177.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi, in the industrial dispute between the employers in relation to the management of Punjab National Bank, Kanpur and their workman which was received by the Central Government on the 21-7-1983.

**BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER :
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL :
NEW DELHI**

I.D. No. 80 of 1983

In the matter of disputes between :

Shri R. N. Vishwakarma
through
U.P. Bank Employees Union,
Kailash Mandir, Kanpur.

AND

Punjab National Bank
Mal Road, Kanpur.

PRESENT :

Shri V. V. Mangalvedakar—for the Workman.
Shri G. Chaturvedi—for the Management.

AWARD

The Central Government, Ministry of Labour, on 19th February, 1982 vide Order No. L-12012(103)/81-D.II(A), made the reference of the following dispute to this Tribunal for adjudication :—

“Whether the management of the Punjab National Bank in relation to the Regional Office, Kanpur in reverting Shri R. N. Vishwakarma, Head Cashier to the post of Clerk-cum-Cashier w.e.f. 10-5-80 is justified ? If not, to what relief is the workman concerned entitled?”

2. Shri V. V. Mangalvedakar appeared for the workman on 1-6-1983 and was allowed time to file the Statement of claim on behalf of the workman on 5-7-1983. Today, no statement of claim has been filed. It is presumed that the workman has lost interest in this case. The Management states that the workman had already been promoted to the post of Accountant by the Management. Accordingly, a ‘No Dispute Award’ is made.

July, 5, 1983.

Sd/-

O. P. SINGLA, Presiding Officer
Central Government Industrial Tribunal New Delhi.
[No. L 12012/103/81-D.II(A)]

S.O. 3178.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi, in the industrial dispute between the employers in relation to the management of Hindustan Commercial Bank Ltd., Kanpur and their workman which was received by the Central Government on the 21-7-83.

**BEFORE SHRI O. P. SINGLA : PRESIDING OFFICER ;
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL ;
NEW DELHI**

I.D. No. 107 of 1981

In the matter of disputes between Shri Pessu Lal Pamnani,
Clerk through U.P. Bank Employees Union, 165
Sobatiya Bagh, Allahabad.

AND

Hindustan Commercial Limited,
Head Office Bihana Road, Kanpur.

PRESENT :

Shri Prabhat Shukla for the Management

Shri P. N. Tewari, General Secretary and Shri J. D.
Mishra Member of State Executive Committee for
the workman.

AWARD

The Central Government, Ministry of Labour, on 1st August, 1981, vide Order No. L-12012/206/80-D.II.A made the reference of the following dispute to this Tribunal for adjudication:—

"Whether the action of the management of Hindustan Commercial Bank Limited, Head Office, Kanpur in terminating the services of Shri Pessu Lal Pamnani, Clerk with effect from 3-7-1976 (afternoon) is justified ? If not, to what relief the worker concerned is entitled ?"

2. Today, a settlement has been filed which has been reached between the Management and the U.P. Bank Employees Union represented by Shri P. N. Tewari, General Secretary and Shri J. D. Mishra, State Executive Member. Under the settlement, Shri Pamnani will be given fresh appointment as a clerk in the Bank and the appointment will be made permanent one and he shall be treated as confirmed employee on the date of the appointment. He will further be granted one pre-matured increment after six months' service. The workman agrees to forgo the claim of any past monetary benefits including seniority and all other consequential reliefs. He will be posted at any place in the State of U.P. at the sole discretion of the Bank. The offer of appointment will be given to him within a period of 15 days from today and if he does not report for duty within 15 days from the date, the offer is given to him, he shall forfeit his claim for the appointment and will not be able to raise any industrial dispute in respect of this matter.

3. An award in the terms aforesaid is made, because the terms of settlement are both free and fair.

Sd/-

July 5, 1983.

O. P. SINGLA, Presiding Officer
Central Govt. Industrial Tribunal
New Delhi.

[No. L-12012/206/80-D.II(A)]

S.O. 3179.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2 Dhanbad, in the industrial dispute between the employers in relation to the management of Bank of Maharashtra, Patna, and their workman, which was received by the Central Government on the 19-7-83.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) DHANBAD**

Reference No. 19 of 1983

In the matter of an industrial dispute under S.10(1)(d)
of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Bank of
Maharashtra, Patna and their workmen.

APPEARANCES :

On behalf of the employers—Shri Shreedhar Mahadeo
Gokhale, Accountant.

On behalf of the workmen—None.

STATE : Bihar.

INDUSTRY : Bank.

Dhanbad, 16th July, 1983

AWARD

This is an industrial dispute under S.10 of the I.D. Act, 1947. The Central Government by its order No. L-12012/93/82-D.II(A) dated 17-3-83 has referred the following dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the action of the management of Bank of Maharashtra in terminating the service of Shri Ram Pyara Lal Sharma, Peon w.e.f. 18-4-81 is justified? If not to what relief is the workman entitled ?"

2. This reference has been received on 22-3-83 by this Tribunal and the parties were noticed to appear and file their written statements on 20-4-83. The manager of the Bank of Maharashtra appeared and prayed for time to file written statement. A petition was also received by post on behalf of the workman praying for time to file written statement. 27-5-83 was fixed as the next date. But on 13-5-83 a petition for time on behalf of the workman was received. On 27-5-83 the manager of the bank filed written statement of the management and then 20-7-83 was fixed for the written statement of the workman. On 20-6-83 however, the workmen remained absent while the management's representatives was present. Another notice was issued to the workmen to appear on 14-7-83 to file written statement failing which the case would be heard ex-parte. Notice was accordingly issued for the appearance of the workman on 14-7-83. On 14-7-83 however the workman did not appear and on behalf of the management Shri S. M. Gokhale was present and filed some documents in support of the case of the bank. He also filed a petition for hearing the case ex-parte. He also argued the case.

3. The concerned workman was appointed in Patna Branch of the bank on daily wage from 19-12-80 on purely temporary basis. The bank had already advertised for appointment on permanent basis and accordingly while the concerned workman was in the job in temporary basis the permanent appointments had been made and there was no need to continue the concerned workman in the job. The management's case is that the concerned workman did not work in the full calendar year and therefore there was no question of considering whether he had completed 240 days of attendance to make him permanent. The terms and conditions of service also indicate that his service will be terminated at any time. We do not know the case of the concerned workman because no written statement has been filed. Suffice it to say that prima-facie the concerned workman has no case for reinstatement in view of the written statement of the management.

4. This reference is therefore answered accordingly :

The action of the management of Bank of Maharashtra, Patna in terminating the service of Shri Ram Pyara Lal Sharma, Peon w.e.f. 18-4-81 is justified. Consequently, the concerned workman is not entitled to any relief

This is my award.

Sd/-

I. P. SINGH, Presiding Officer.
Central Govt. Industrial Tribunal, No. 2, Dhanbad.

[No. L-12012/83/82-D.II(A)]

New Delhi, the 29th July, 1983

S.O. 3180.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi, in the industrial dispute between the employers in relation to the management of Hindustan Commercial Bank Limited Kanpur and their workman, which was received by the Central Government on the 21-7-83.

BEFORE SHRI O. P. SINGLA : PRESIDING OFFICER :
CENTRAL GOVT. INDUSTRIAL TRIBUNAL :
NEW DELHI

I.D. No. 104 of 1983

In the matter of disputes between :

Shri G. C. Aggarwal and others through All India
Hindustan Commercial Bank Employees Association
26/104 Birhana Road, Kanpur.

AND

Hindustan Commercial Bank Limited,
Head Office Birhana Road, Kanpur.

PRESENT :

Shri Prabhat Shukla—for the Management.

None—for the workmen.

AWARD

The Central Government, Ministry of Labour on 27-2-82, vide Order No. L-12012(158)/81-D.II.A made the reference of the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of Hindustan Commercial Bank Limited, Head Office Kanpur in not allowing officiating promotion as Special Assistant to Shri G. C. Aggarwal, M. M. Mishra, R. S. Kakkar and C. M. Dixit is justified ? If not, to what relief are the workmen concerned entitled ?”

2. Shri V. V. Shekhri was present for the workmen on 1-3-1983 and sought time to file Statement of Claim but none has been filed and Mr. Shukla is also present today. It appears that the workmen concerned have lost their interest in the dispute raised by them.

Accordingly, a ‘No Dispute Award’ is made.

July 5, 1983.

Sd/-

O. P. SINGLA, Presiding Officer.

Central Govt. Industrial Tribunal New Delhi.

[No. L-12012/158/81-D.II(A)]

S.O. 3181.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi, in the industrial dispute between the employers in relation to the management of Union Bank of India, Kanpur and their workman, which was received by the Central Government on the 21-7-83.

BEFORE SHRI O. P. SINGLA : PRESIDING OFFICER :
CENTRAL GOVT. INDUSTRIAL TRIBUNAL :
NEW DELHI

I.D. No. 86 of 1983

In the matter of disputes between :

Shri R. K. Awasthi, through Secretary, U.P. Bank
Employees Union, 36/1 Kailash Mandir, Kanpur.

AND

Union Bank of India, Kanpur.

PRESENT :

Shri V. V. Mangalvedekar—for the Union of the workman

Shri Pawan Bahl—for the Management.

AWARD

The Central Government, Ministry of Labour, on 19th February, 1982, vide Order No. L-12012(131)/80-D.II(A), made the reference of the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of Union Bank of India, Kanpur in reverting and changing the designation of Shri R. K. Awasthi from Head Cashier Category ‘C’ cum-clerk (to that of Clerk/Cashier) is justified ? If not, to what relief is the workman concerned entitled to ?”

2. Mr. Mangalvedekar pleads lack of instructions and does not seek a date for filing statement of claim. It appears that the workman is presumably satisfied with his lot and does not want to pursue the dispute raised. Accordingly, a ‘No Dispute Award’ is made in the instant case.

July 6, 1983.

O. P. SINGLA, Presiding Officer.
Central Govt. Industrial Tribunal New Delhi.

[No. L-12012/131/80-D.II(A)]

S.O. 3182.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi, in the industrial dispute between the employers in relation to the management of Hindustan Commercial Bank Limited, Kanpur and their workman, which was received by the Central Government on the 21st July, 1983.

BEFORE SHRI O. P. SINGLA : PRESIDING OFFICER :
CENTRAL GOVT. INDUSTRIAL TRIBUNAL :
NEW DELHI

I.D. No. 68 of 1980

In the matter of disputes between :

Shri P. K. Bhargava through U.P. Bank Employees Union
Singla Sadan, Mamu Bhanja, Aligarh.

AND

Hindustan Commercial Bank Limited,
H.O. 89/92, Kasturba Gandhi Marg, Kanpur.

PRESENT :

Shri Prabhat Shukla—for the Management.

None—for the workman.

AWARD

The Central Government, Ministry of Labour, on 15th July, 1980 vide Order No. L-12012/79/80-D.II.A. made the reference of the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of Hindustan Commercial Bank Limited, Head Office, Kanpur in terminating the services of Shri P. K. Bhargava, Clerk Aligarh Branch of the Bank is justified ? If not, to what relief is the workman concerned entitled?”

2. Today, a settlement has been filed which has been signed by Shri Brijendra Singh, State Vice-President of the Union and Shri Prabhat Shukla, for the Management Under the settlement, Shri P. K. Bhargava will be given fresh appointment as a clerk in the Bank and will be treated as a confirmed employee. Shri Bhargava will also get a pre-matured increment after six months of service. The workman agrees to forego the claim of any past monetary benefits including seniority and all other consequential reliefs. He will be posted initially at any place in the State of U.P. at the sole discretion as per availability of vacancies. The offer of appointment will be given to the workman within a period of 15 days from today and if the workman does not report for duty within a period of 15 days from the date the offer is given

to him, he shall forfeit his claim for the appointment and will not be entitled to raise any dispute in respect of this matter.

3. Accordingly, an award in the terms aforesaid is made because the terms of settlement are both free and fair.

July 5, 1983.

Sd/-

O. P. SINGLA, Presiding Officer,
Central Govt. Industrial Tribunal

NEW DELHI.

[No. L-12012/79/80-D.II(A)]

New Delhi, the 1st August, 1983

S.O. 3183.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of State Bank of India, Dhanbad and their workmen, which was received by the Central Government on the 26-7-83.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD.

Reference No. 75 of 1981

In the matter of an industrial dispute under S. 10(1) (d) of the I.D. Act. 1947.

PARTIES :

Employers in relation to the management of State Bank of India and their workman.

APPEARANCES :

On behalf of the employers : Shri Samir Kumar Ghose, Advocate.

On behalf of the workmen : Shri Baban Lal, Advocate.

STATE : Bihar Industry : Bank
Dhanbad, 21st July, 1983

A W A R D

This is a reference under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L-12012(38)/81-D. II(A) dated 26-10-81 has referred this dispute to this tribunal for adjudication on the following terms :

SCHEDULE

"Whether the action of the management of State Bank of India in relation to its branch at Dehri-on-Sone in not absorbing Shri Hira Prasad Singh, Badli/Guard into service is justified. If not, to what relief is the workman concerned entitled ?"

2. In his written statement Shri Hira Prasad Singh the concerned workman has alleged that he worked in the Dehri-on-Sone Branch of the State Bank of India as guard from 10-3-75 to 9-3-76. He was paid the wages of 246 days in all. He was not allowed rest days after completion of six days in a week and therefore such rest days comes to 34 days which should be counted to find out the period of 240 days. Moreover, he was paid his salary and allowances from 9-9-75 to 12-10-75 i.e. for a period of 34 days. Furthermore, he was given salary and allowance from 5-12-76 to 15-12-76. In this manner he got salary for 34 rest days which he was entitled to between 10-3-75 and 9-3-76. The concerned workman worked upto 1-3-77 after which he was stopped from work.

3. The case of the management is that the concerned workman was employed as badli guard which means that he was a substitute. It has been admitted by the management that he has worked for 2 years temporarily. Under S. 25B of the Industrial Disputes Act, 1947 a temporary workman, if he completes 240 days in 12 calendar months from the date of his initial appointment, he would not be retrenched and his services should be regularised. In the case of the concerned

workman he did not complete 240 days between 10-3-75 and 9-3-76 and therefore his retrenchment was justified.

4. On behalf of the workman no witness was examined, but Ests. W.1, W. 2, W. 3., W. 4 and W. 5 have been admitted into evidence. On behalf of the management two witnesses were examined and Ests. M1 to M11 have been admitted into evidence. MW-1, Shri V.N. Gupta was Branch manager, State Bank of India Dehri-on-Sone from June, 1980 to June, 1982. On 7-8-80 a peon from L.E.O. Dehri handed over one letter, Ext. M1 to him at his residence when he was availing lunch. After receiving Ext.M1 he decided to refer the matter to his controlling authority at Patna for necessary order and instructions. But when he came to his branch office, he was surrounded by 8/9 members of the staff of Dalmianagar branch of State Bank of India and also some members of Dehri branch including the concerned workman, Shri Hira Prasad Singh. These persons were ready with the Establishment register, Ext.M4 and charges vouchers. Exts. M2 and M3 and asked him to sign them. He refused to sign and they threatened him with dire consequence. He was compelled to sign them. The payments were made on these vouchers under threat and coercion. He reported the matter to higher authority through his letter dated 7-8-80 (Ext. M5). He also submitted his explanation to the controlling by his letter, Ext. M/6 dated 30-10-81. In the Dehri Branch, Guard attendance register is maintained and Ext. M7 is that register. A circular of the State Bank of India is marked Ext. M8.

5. MW-2 is Sri Krishna Murari Prasad. He was branch manager of Dehri branch of State Bank of India from February, 1975 to September, 1976. He knows the concerned workman, Shri Hira Prasad Singh. About Ext. M7 he has said that this is the attendance register of the staff of Dehri Branch from 1-3-75 to 25-12-77. This register includes the attendance of the concerned workman. He has said that if for any reason the salary of the staff which is due for more than 5 years has not been paid, such payment has to be made only after the sanction of the controlling officer. He has proved Ext. M 10 which is an entry in the cash balance at Page 99. It is for the amount of Rs. 600/- paid to the concerned workman, Shri Hira Prasad Singh on one of the vouchers relating to rest days. This payment was entered in the cash stroll on 8-8-80 as well as appear at page 11 (Ext. M 11). He was said that if the employee of the bank works for rest day, he will be entitled to over time wages for that rest day.

6. On behalf of the workmen Shri Baban Lal, Advocate argued that the case of the concerned workman is covered under S. 25 B (1) of I.D. Act, 1947. S. 25 B defines continuous service. According to clause (1) of this section a workman shall be deemed to be in continuous service for a period, if he is for that period is on uninterrupted service. He has urged that the concerned workman was in continuous service not only for one year but two years and therefore he has a right to continue and his services should not have been stopped by the bank without any reason whatsoever. According to him the management have wrongly placed reliance on clause (2) of S. 25 B. Clause (2) says that when a workman is not in continuous service within the meaning of clause (1) for a period of one year or six months, then certain consequences will follow as detailed in sub-clause (a) and (b). Under sub-clause (a) his service could be calculated on the basis of 190 days belowground in a mine and 240 days in any other case for treating him to be in continuous service. What Shri Lal means to say is that the case of the concerned workman should be treated to be continuous under S. 25 B(1) because there was no break in his service at any time. He continued for a period of 2 years when he was stopped from work. Alternatively he has argued that the concerned workman, even according to management's documents had already completed 240 days. This is shown by Ext. W.1. dated 10-2-78 which is a letter signed by Shri R. K. Mangal, branch manager, Dehri branch of State Bank of India. A chart has been given showing that his total attendance was 211 days and due weekly rest days were 34 between 10-3-75 and 9-3-76 i.e. within a period of 12 calendar months from the date of his initial appointment. There is another letter dated 27-3-79 signed by Shri R. K. Mangal, branch manager. He has also requested the higher management to consider the case of the concerned workman, Shri Hira Prasad Singh because during 12 calendar months he has completed 245 days i.e. 211 days plus 34 days. For those 34 rest days the concerned workman

was paid through vouchers, Exts. W. 3 and W. 4, Ext. W. 5 is another letter by the branch manager, Dehri, Shri B. K. Sen addressed to the Personnel Manager, State Bank of India, local head office, Patna. Under this letter he mentioned that the temporary guard, Shri Hira Prasad Singh worked for more than 245 days, but inadvertently his services were terminated by the bank. At the time of hearing on behalf of the bank, two lists were submitted before me. In the first list the total number of days worked by the concerned workman as shown by the attendance register was 215 days. In the second list rest days have been calculated and it has been totalled to say 29 days. So, 215 plus 29 would amount to 244 days. The only point is that according to the management the rest days will not be counted as attendance. But if he has worked on the rest days he will be given O.T. allowance. The attendance register does not mention that on the rest days the concerned workman worked. This could not possibly be shown in the attendance register because the attendance register could be available on the open days. But the two successive letters, Exts. W. 1 and W. 2 have mentioned that the concerned workman was an able worker liked by all the staff and he performed his duties very diligently. He also worked on rest days without any hesitation. The then branch manager considered the concerned workman as useful hand. My attention has been drawn by the management to the fact that the rest days cannot be said to be actual working days and therefore during the period of 12 months from the date of his initial appointment, his total attendance would only be 215 days. This is no doubt true that the law requires actual work. But on the 29 rest days, the letters Ext. W. 1 and W. 2 would go to show that the manager required the concerned workman to work on the rest days and he did work. I do not see any reason why the rest days should not be calculated as working day for the concerned workman if he has worked on those days. Thus, even according to the calculation made on behalf of the management, the concerned workman within 12 calendar months worked for 244 days and so his service had to be considered to be continuous under S. 25 B (2) of the I.D. Act, 1947. So, in either view of the matter as to whether this case falls under section 25 B (1) or S. 25 B (2) of the I.D. Act, 1947, the services of the concerned workman must be deemed to be continuous and therefore stoppage of his work would amount to retrenchment under S. 25 F of the I.D. Act, 1947 without following the provisions of retrenchment. It is regrettable that in spite of the Branch Manager, Dehri drawing the attention of the controlling authority, Dehri against wrongful retrenchment, did not rectify the wrong with the result that the concerned workman is out of employment since then.

7. Thus, having considered all aspects of the case I hold that the action of the management of State Bank of India in relation to its branch at Dehri-on-Sone in not absorbing Shri Hira Prasad, Badli Guard into service is not justified. Consequently, the concerned workman, Shri Hira Prasad Singh, Guard at Dehri-on-Sone branch of the State Bank of India should be deemed to be in the employment of the Bank w.e.f. 2-3-1977, and he will be entitled to all the back wages and other emoluments with effect from 2-3-1977 till he is reinstated by the bank.

This is my award.

Sd/-
J.P. SINGH, Presiding Officer
Central Govt. Industrial Tribunal (No. 2)
Dhanbad.

[No. L-12012/38/81-D.II(A)]

S.O. 3184.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. I, Bombay in respect of a complaint under Section 33A of the said Act filed by the workers of Reserve Bank of India, Bombay against the management of Reserve of India, Bombay.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

Complaint No. CGIT-1 of 1983

(Arising out of Complaint No. NTB-1 of 1980)

PARTIES :—

1. Mrs. M.T.C. Quadros,
2. Mrs. K. S. Mandrekar,
3. Mrs. M. Rodrkgies,
4. Kum. S. G. Ullal,
5. Mrs. A. Fernandes,
6. Mrs. J.D' Costa Louis,
7. Mrs. I. Tellis,
8. Mrs. L. Chainani,
9. Mrs. S. Shahani,

Telephone operators,

Reserve Bank of India, Bombay.

C/o. Reserve Bank Workers' Organisation, Bombay.
Complainants.

V/s.

The Chief Manager Reserve Bank of India Personnel
Policy Dept., Central Office, Bombay. : Opp. Party
APPEARANCES :

For the complainants.—Mr. L. K. Pande, President,
Reserve Bank Workers' Organisation, Bombay.

For the opposite party.—Mr. M. A. Batki, Asstt. Legal
Adviser.

INDUSTRY :

BANKING

STATE :

MAHARASHTRA

Bombay, the 30th June, 1983

AWARD

This is a complaint filed by nine complainants under Section 33-A of the Industrial Disputes Act, 1947.

2. The nine complainants are the Telephone Operators who are in the employment of the opposite party, Reserve Bank of India, Bombay. Their complaint is that they were putting 6 1/4 hours duty, (inclusive 45 minutes lunch recess) from the date of joining the Bank as Telephone Operators and these duty hours remained in force till 23-2-1983. The Telephone Operators are required to perform strenuous duties while attending the board duties and that was the reason, according to the complainants, why they were given concession of reduced hours in addition to other factors. The Telephone Operators are the part and parcel of non-clerical category. These duty hours were in force till the date of the new change made by the Bank vide office order No. 49/390 dated 15th February, 1983, increasing the hours of work. The short hours of duties have become the condition of service right from the inception of the board as far back as 1935 when the first telephone board was installed. By withdrawing the concession of short hours, the conditions of service, according to the complainants, is being changed during the pendency of a proceeding before the Central Government Industrial Tribunal No. 1, Bombay. On these allegations the complainants prayed that this Tribunal be pleased to decide the complaint and pass such orders thereon as it may deem fit and proper.

3. The opposite party has raised certain preliminary objections contending inter alia, that this complaint is not maintainable.

4. Before stating those objections it would be proper to refer to certain previous proceedings out of which, according to the complainants, the present complaint arises. A reference being reference No. NTB-1 of 1979 arose out of dispute between the Bank and its workmen. There were 35 items of disputes. The dispute was referred to the National

Tribunal consisting of Justice C. T. Dighe. During the pendency of this reference, two employees by name A.G. Moolay and V. K. Ingle filed a complaint No. NIB-1 of 1980 before the said National Industrial Tribunal-1. In that complaint the said employees alleged as follows: 'They were concerned in the dispute pending before the National Tribunal being the members of the Reserve Bank Employees' Association, Nagpur. They were union activists, Moolay being the General Secretary of class IV employees' Union and Ingle being the President of Reserve Bank Employees' Association Nagpur. They have been espousing the cause of the employees much against the wishes of the Bank. The complainant Moolay tried to espouse the cause of class IV employees employed by the Bank. The Bank instead of giving hearing came out with a charge-sheet and instituted a departmental inquiry against the complainant. Moolay, victimising him for his trade union activities. The dates of the inquiry were fixed when, Moolay was to appear for the law examination to be held on 14-5-1979. The application of Moolay for adjournment of the inquiry proceedings on certain dates were not granted and the Bank concluded the proceedings of the date 15-5-1979 ex-parte. The Bank further victimised Moolay by wrongly deducting his wages for 35 minutes of absence from duty on 18-5-1979 without giving him reasonable opportunity to defend himself. The opposite party have gone a step ahead to victimise Ingle by denying him his normal service conditions in certain matters, simply because he had been defending Moolay in a departmental inquiry conducted by the Bank as a defence counsel. It was alleged in this complaint that the issues referred to in the complaint were covered in the items mentioned in the schedule of reference pending before the National Tribunal. On these allegations the said complaint was filed by the two employees against the Bank under Section 33-A of the Industrial Disputes Act. A copy of that complaint has been filed on record by the Bank.

5. Justice Dighe, the Presiding Officer of the National Tribunal held that the complaint filed by the two employees involved mis-joinder and directed them to take steps to remove that mis-joinder. Ingle who represented the employees responded to that direction and gave an application asking for withdrawal of the complaint and permission to file two fresh complaints. The Bank raised objection to this course stating that a complaint under Section 33-A has to be adjudicated upon as a reference and withdrawal of the complaint could be construed as analogous to the withdrawal of a reference which as the law stands at present is not competent for the party making the reference.

6. Justice Dighe instead of going into the legal aspect of the matter observed in his order :

"I have gone through the complaint proper and I find that the main grievance is in relation to Moolay, that can easily be looked into on the basis of the averments in the complaint, of course, together with the objections raised on behalf of the Bank, one of which is in respect of the maintainability of the complaint. Consequently, I do not allow the withdrawal of the complaint but I treat this complaint, as given only on behalf of Moolay. Ingle if so advised may file another complaint which can be dealt with, in the light of the objections then taken. Reference to Ingle in the complaint so far as they are supporting the case made out for Moolay would be looked into, but references to Ingle when they seek independent relief for Ingle will be looked upon as non-existent."

7. Justice Dighe made an award in the National Tribunal reference on 4-12-1981. He retired on 6-12-1981. The said complaint was not disposed of by him before he retired. A complaint is still pending. One of the contentions taken by the Bank is that the Central Government has not issued a notification constituting me as the National Tribunal under Section 8 of the Industrial Disputes Act. For adjudicating upon the disputes between the Bank and its employees. That complaint is still pending.

8. Now the Bank has raised preliminary legal objections to the maintainability of the present complaint being complaint No. CGIT-1 of 1983. The preliminary objections of the Bank are as follows :—

- "(i) The complainants have to establish that a particular dispute is pending before this Tribunal and they are workmen concerned in such a dispute.
- (ii) The burden of proving that the complainants are workmen concerned in that alleged pending dispute is on the complainants.
- (iii) The complainants have to establish that the matter complained of now is in respect of a matter connected with the alleged pending dispute."

These are the preliminary objections raised by the Bank. On merits it is contended for the Bank that the complainants have to establish that their conditions of service have been altered by the Bank as alleged and that such alleged alteration is to the prejudice of the complainants. At the time of the arguments it was submitted for the Bank that the total hours of work of the complainants have not been altered and that they are according to the previous awards of the competent Tribunals and the legal provisions on the subject. I asked Mr. Pande who represented the complainants to say under what awards or orders the hours of the Telephone Operators were fixed at 6-1/4. Mr. Pande could not point out such awards or orders, but he stated that 6-1/4 hours are fixed as a matter of customary concession or privilege or usage.

9. I am at present not dealing with the matter on merits. I am also not dealing with the contention raised by the Bank that the dispute in complaint No. 1/1980 is not pending before me. According to me, the complaint is not tenable on other grounds also.

10. Section 33-A of the Industrial Disputes Act provides :—

"When an employer contravenes the provisions of Section 33 during the pendency of proceedings before a Labour Court, Tribunal or National Tribunal any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such Labour Court, Tribunal or National Tribunal and on receipt of such complaint that Labour Court, Tribunal or National Tribunal shall adjudicate upon the complaint as if it were dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Section 33 of the Industrial Disputes Act, so far as is relevant, reads thus :—

"(1) During the pendency of any conciliation proceeding before a conciliation officer or a Board or of any proceeding before an arbitrator or a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employee shall,—

- (a) in regard to any matter connected with the dispute, alter to the prejudice of the workman concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding; or
- (b)

11. Mr. Batki, the representative of the Bank, contended that after Justice Dighe retired no fresh notification has been issued by the Central Government under Section 8 of the Industrial Disputes Act for filling up the vacancy by constituting me as the Presiding Officer of the National Tribunal in the matter of the dispute between the Reserve Bank of

India and their workmen. He also submitted that the Central Government has not transferred the proceeding to my file under the provisions in Section 33-B(2) of the Industrial Disputes Act nor the proceeding is transferred to my file under the provisions of Section 33-B(2) of the Industrial Disputes Act. He, therefore, submitted that the complaint being complaint No. NTB-1 of 1980 is not legally on my file. That is no doubt a substantial question that would arise for my decision if the matter would have rested on the decision of that question. Another substantial question that would arise is whether a complaint would amount to "industrial dispute" within Section 33(1) of the Industrial Disputes Act. I think, it is not necessary to decide these questions and the matter can be disposed of on other points. The question is whether the conditions of service applicable to the two employees have been altered to their prejudice in regard to any matter connected with the dispute. The other question is whether the present complainants can be said to be the workmen concerned in the industrial dispute pending before the Tribunal i.e. in the instant case in the dispute which is the subject matter of complaint No. NTB-1 of 1980. The original complaint No. NTB-1 of 1980 related to an employee of Nagpur office viz., Moolay, who was at the relevant time working as a clerk grade II. The dispute was purely an individual dispute relating to said Moolay. The complainants in the present case are Telephone Operators attached to the Bombay office of the Bank and form a different cadre. Even assuming that the complaint in respect of Moolay is legally pending before this Tribunal the complainants in the present case cannot be said to be "workmen concerned in the dispute" which is the subject matter of complaint No. NTB-1 of 1980. In the case of U.S.R. Rao, Shore Officer, New India Fisheries Ltd., Cochin v. Vijay Kumar (1970 1 L.L.J. 285) the Kerala High Court observed in para 4 of the judgement :—

"It is well settled that it is the duty of the worker who alleges that he is concerned in a dispute to prove it. In *Digwadih Colliery v. Ranzji Singh* (1964 11 L.L.J. 143 at 144) it was held by Gajendragadkar, J., as he then was, that the burden of proving that the workman is concerned in an industrial dispute is upon him. In *New India Motors (Private) Ltd. v. K. T. Morris* (1960 1 L.L.J. 551) it was held that it is necessary to ascertain the nature of the dispute before it can be said that a workman is concerned in a dispute. The Court has also said that the words "workman concerned in the dispute" in S. 33 must receive a liberal interpretation and that the real test is whether the award in the case would bind him. If this test is accepted, the question is whether the award passed in Industrial Dispute No. 102 of 1964 would be binding on respondent 1. The management, in its written statement, said that the claim of respondent 1 for bonus payable for the year 1963 has been settled. Although the management has made that specific averment in the written statement there is no evidence one way or the other whether the claim for bonus of respondent 1 for the year 1963 has been settled. If as a matter of fact, the claim has been settled, I do not think that respondent 1 was concerned in the dispute. In Industrial Dispute No. 12 of 1964, I would therefore direct the tribunal to enter a specific finding on the question whether the claim for bonus of respondent 1 for the year 1963 has been fully settled between the parties. In the light of the finding on this question, the tribunal will pass the proper order."

A reference can also be made to the decision of the Supreme Court in the case of *Reserve Bank of India v. C. T. Dighe* (1981 11 L.J. 223). There the Supreme Court observed :—

"Unless it is determined what the dispute was that has been referred for adjudication, it is not possible to say whether particular matter is connected with it"

One of the items reflected to the Tribunal in that dispute was "item No. 12 in respect of promotions". The Supreme Court observed :—

"It is not reasonable to suppose that the order of reference required the Tribunal to adjudicate on all possible matters relating to promotion. The Tribunal should have decided the area of dispute referred to it for adjudication before proceeding to consider whether the promotional scheme set out in circular No. 6 could be said to be connected with that dispute."

Assuming that complaint No. NTB-1 of 1980 could be regarded as an industrial dispute, the dispute there was in respect of departmental inquiry held against Moolay and certain wage cut effected in his salary. In the first place, the present complainants, Telephone Operators, do not belong to the cadre of Moolay, the complainant in the said complaint. The complaint of the present complainants that their service conditions have been altered to their prejudice by increasing the hours of work cannot be said to be in regard to any matter connected with the dispute in the complaint No. 1 of 1980. The present complainants were not at all concerned in the dispute in the old complaint. It is on these grounds alone that the present complaint will have to be held to be not maintainable.

12. It is contended for the complainants by Mr. Pande that the Telephone Operators and Moolay are the members of the same Organisation whose affiliation is to the same parent body. Telephone Operators are class III workmen and Moolay is a clerk grade II attached to the Reserve Bank of India, Nagpur. This being so there is a community of interest and the Telephone Operators who are the members of the Reserve Bank Workers' Organisation has a direct interest in the proceeding of Moolay. It is argued that it can, therefore, be said that the Telephone Operators are the workmen concerned in the dispute raised by Moolay in his complaint. I am not inclined to accept this contention. It is difficult to hold that the Telephone Operators are in any way connected with the dispute raised by Moolay in his application and that they are the workmen concerned in that dispute.

13. Mr. Pande strenuously contended that the management has decided to revise the duty hours which were in force for the last 20 years without following the procedure laid down in Section 9-A of the Industrial Disputes Act. If the complainants feel that there is contravention of Section 9-A of the Industrial Disputes Act, it will be open for them to resort to the different available remedies.

14. In the result, I find that this complaint is not maintainable. It is, therefore, dismissed. No order as to costs.

M. D. KAMBLI, Presiding Officer

[No. I-12025/10/83-D.II(A)]

N. K. VERMA, Desk Officer

New Delhi, the 30th July, 1983

S.O. 3185.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, and their workmen, which was received by the Central Government on the 26th July, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.
Reference No. 7 of 1981

PARTIES :

Employers in relation to the management of Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, At and Post Office Jamadoba, District Dhanbad.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.
For the Workman : Shri B. Lal, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

AWARD

The Central Government in the Ministry of Labour has, by Order No. L-20012/5/81-D. III (A) dated the 23rd February, 1981, in exercise of its powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, At and Post Office Jamadoba, District Dhanbad in terminating the services of Shri Bhikhu Mahato, Electric Fitter Helper with effect from the 22nd November, 1978, is justified? If not, to what relief is the said workman entitled?"

2. The case of the management is that the concerned workman, Bhikhu Mahato, who was working as an Electric Fitter Helper in Jamadoba colliery of Messrs Tata Iron and Steel Company Limited, while on duty in 'A' shift on 22-5-78, was hit by a rake of empties when he was engaged in checking the signal line of the haulage as a result of which he sustained injuries in his right leg and right arm. He was treated at the Central Hospital, Jamadoba, and was cured of the injuries. Thereafter he was examined on several occasions by the Medical Board of the company and ultimately the Medical Board after examining him on 13-9-78 declared him fit for his original job in so far as his injuries were concerned, and, accordingly, he resumed duty. However, on receipt of a subsequent report that he was having defective vision he was again advised to appear before the Medical Board for further examination which he did on 8-11-78, when, on thorough examination, the Medical Board remarked that the O/E looked much more than the stated and advised him to get some pathological tests done and to consult the Eye Surgeon for re-check of refraction and obtain his opinion whether or not he was fit for original job with spectacles and observed that meanwhile he should not be allowed to work underground as his vision was very defective despite spectacles. He, however, did not get his blood examined as advised by the Medical Board and appeared before the Medical Board on 15-11-78. The Medical Board again advised him to re-appear next week with blood report and report of the Eye Surgeon. He again appeared on 22-11-78 before the Medical Board which, on examination, found him unfit to continue in his original job due to markedly defective vision not corrected by spectacles and chronic debility. He was, therefore, discharged on medical ground for continued ill health with effect from 22-11-78 and was paid one month's wages in lieu of notice. The contention of the management, therefore, is that the termination of his service with effect from 22-11-78 was bonafide as per condition of his service and he is, therefore, not entitled to any relief.

3. The case of the concerned workman, on the other hand, is that he, no doubt, met with an accident on 22-5-78 while on duty as an Electric Fitter Helper and remained hospitalised for treatment of his right leg and right hand but he subsequently recovered and was declared fit to resume his original

job which he did resume. But, for the reasons best known to the management, he was soon thereafter subjected to eye test and he was served with a notice dated 28-11-78 informing him that he was examined by the Medical Board on 22-11-78 at the Central Hospital, Jamadoba and was declared unfit for his original job and hence he was discharged from service with effect from 22-11-78. Thereafter he made an application dated 4-12-78 to the Divisional Manager that in case he was not considered fit for job underground, he may be allowed to work on the surface only, but his said prayer was also not allowed. According to him, he had not suffered from continued ill health and the minor temporary defects in his eye could not be a ground to terminate his services, which amounted to retrenchment, without following the procedure of retrenchment as laid down in the Industrial Disputes Act, 1947. He has, therefore, prayed for a declaration that termination of his service is illegal and unjustified and he is entitled to reinstatement with full back wages and other benefits.

4. Two witnesses have been examined on behalf of the management and some documents have also been exhibited on its behalf. The concerned workman is the only witness examined on his side.

5. The concerned workman, Bhikhu Mahato, was admittedly working as an Electric Fitter Helper in Jamadoba colliery and he admittedly met with an accident while on duty on 22-5-78 as a result whereof he sustained injury in his right leg and right arm due to which he was hospitalised for treatment at the Central Hospital, Jamadoba, and was ultimately cured of the injury and was declared fit by the Medical Board of the company for his original job which he subsequently resumed. Ext. M-5 is the report dated 13-9-78 of the Medical Board certifying that the swelling of right forearm and right foot had subsided and there was very little local tenderness and that he was fit for original job in so far as his injuries were concerned. It was after this report dated 13-9-78 (Ext. M-5) of the Medical Board that the concerned workman had admittedly resumed his duty. Prior to this report dated 13-9-78 (Ext. M-5), the concerned workman was also examined by the Medical Board on 9-8-78 and 30-8-78 and Exts. M-1 and M-3 are the reports of the Medical Board in respect of the same which are, however, not of much relevance as they relate to his aforesaid injuries in his right leg and right arm which have not led to the termination of his service.

6. What had led to the termination of the service of the concerned workman was his defective eye sight. In this connection it appears that about two months after he resumed his duty on being declared fit for his original job in so far as his injuries in his right leg and right arm caused by the accident were concerned by the report dated 13-9-78 (Ext. M-5) of the Medical Board, he was again referred to the Medical Board for examination for his eye sight, and the Medical Board examined him on 8-11-78 and the Medical Board in its report of the same date (Ext. M-11) reported "eye sight-LS-6/24, R.E. -6/24 with specs". It further reported "O/E looks much more than the stated, Advised Hb. T.C., D.C., E.S.R. To consult E/Surgeon for re-check of refraction and his opinion as to whether or not he is fit for original job with specs. Meanwhile, he should not be allowed underground as his vision is very defective despite specs." He was again examined by the Medical Board on 15-11-78 and the Medical Board in its report of the same date (Ext. M-12) reported "Has not yet got his blood tests done. To re-appear next week with blood report and report of E/Surgeon." He was again examined by the Medical Board on 22-11-78 and the Medical Board in its report of the same date (Ext. M-12) reported "Has not yet got his blood tests of original job due to markedly defective vision not corrected by specs and chronic debility". The concerned workman, Bhikhu Mahato (WW-1) has also deposed that in November, 1978 his eyes were examined by the Medical Board when he was told by the doctors of the Medical Board that he had developed cataract in both his eyes and until that was operated he was not fit to work and thereupon he told the doctors to give him a sick report and to treat his eyes for cataract on which they told him that the cataract in his eyes was not yet ripe for operation. The aforesaid medical reports

have been proved by Dr. H. S. Kanchan (MW-1), an Eye Surgeon, who was one of the members of the Medical Board which had examined the concerned workman on 15-11-78 and 22-11-78. It was after the said report dated 22-11-78 (Ext. M-13) of the Medical Board declaring the concerned workman as unfit for continuation of his original job due to markedly defective vision not corrected by spectacles and chronic debility that the concerned workman was served with the letter dated 28-11-78 (Ext. M-7) of the Agent, Jamadoba Group, stating that since the Medical Board which had examined him on 22-11-78 at the Central Hospital, Jamadoba had declared in unfit for his original job, he was discharged from the company's service with effect from 22-11-78 on medical grounds and that he would be paid one month's wages in lieu of notice. This has led to the present reference dated 23-2-1981.

7. It is the evidence of the concerned workman Bhikhu Mahato (WW-1) that after his services were terminated by the management with effect from 22-11-78 because of his defective eye sight, he got the cataract of his right eye operated in the year 1980 and the cataract of his left eye operated in the year 1981 at Dhobatand, Dhanbad, in the eye operation camp organised by the Lions Club and after his said operations he can see with both his eyes with the help of spectacles which have been prescribed by the doctor of Jamadoba colliery hospital and now he is fit to work as Electric Fitter Helper. But the subsequent medical reports, to which I shall presently refer, do not support his contention that after the operations of cataract of his eyes he is fit to work as Electric Fitter Helper.

8. During the pendency of the present reference, a letter dated 2-9-81 (Ext. M-9) was issued by the Dy. Divisional Manager of the company to the concerned workman, with reference to the present reference in which he was informed that there was a vacancy on surface at Jamadoba colliery and the management would like to consider his case for appointment and was advised to appear before the Medical Board of the company at Tata Central Hospital, Jamadoba, on 9-9-81 at 3-30 p.m. to ascertain his fitness for a job of Electric Fitter Helper on surface at Jamadoba colliery, without any prejudice to his case before this Tribunal. Thereafter it appears that he was examined by the Medical Board on 30-9-81 and the Medical Board in its report of the same date (Ext. M-14) reported "Eye sight—Count finger with glasses and cataract—left eye (Right Eye Cphakik correction)." It further advised "To consult E/Surgeon for defective vision and to re-appear next week, with full report." On 11-11-81 he was again examined by a Medical Board of which Dr. H. S. Kanchan (MW-1), as Eye Surgeon, was the Chairman and the Medical Board in its report of the same date (Ext. M-15) reported "Eye sight L.S.—H.M., R.E. 6/24." It further reported "Right eye—Aphakia with glass power +11 spherical and left eye—mature cataract. Unfit for the job of Fitter Helper on surface."

9. During the pendency of the present reference a petition dated 2-2-82 was filed on behalf of the concerned workman stating that the left eye of the concerned workman had been operated and, according to him, his vision is now quite alright for his employment on surface and that he desires that the management may be directed to get him once again examined by its own Eye Surgeon to test his vision in both his eyes and submit his report to this Tribunal. Thereupon my learned predecessor by his order dated 2-2-82 directed Dr. H. S. Kanchan (MW-1), the Specialist Eye Surgeon of the company, who was present on that date in Court, to examine the eye sight of the concerned workman at Tata's Central Hospital on 9-2-82 at 9 a.m. and directed the concerned workman to appear before the doctor at the appointed time and place. Accordingly, Dr. H. S. Kanchan, (MW-1) again examined the concerned workman on 9-2-82 and submitted his report of the same date (Ext. M-10) to the effect that since his both eyes are anahakic (cataract operated) he can see only with high power glasses and without accommodation and with senile debility, he is unfit for any semi-skilled and skilled jobs on surface.

10. It would thus appear that all the reports of the different Medical Boards, whether of a period prior to the termination of the service of the concerned workman with effect from 22-11-1978 on the ground of defective eye sight by letter dated 28-11-78 (Ext. M-7) of the Agent, Jamadoba Group, or after that during the pendency of the present reference which had been submitted by the Medical Boards either at the instance of the management to ascertain his fitness for

a job of Electric Fitter Helper on the surface or in pursuance of the Tribunal's order dated 2-2-82, are to the effect that he is unfit for either his original job of Electric Fitter Helper or for any semi-skilled or skilled job on surface due to his defective visidual in spite of the operation of cataract of his eyes, and the reports of the Medical Board subsequent to the termination of his service with effect from 22-11-78 only confirm the findings of the report dated 22-11-78 (Ext. M-13) of the Medical Board prior to the termination of his services that he was unfit for continuation of his original job due to markedly defective vision not corrected by spectacles and chronic debility.

11. In this connection it is also worth referring to the evidence of Sri Nishi Kant Choudhury (MW-2) who is working as Senior Engineer in Jamadoba Colliery since July 1978 and before that was working in Digwadih colliery of the company as Colliery Manager since September, 1972, which is situate at a distance of one and half kilometre from Jamadoba colliery. He has deposed that Electric Fitter Helpers are required to work underground the mines as well as on the surface and the help the Electric Fitters in carrying on their job, and, in that connection, an Electric Fitter Helper carries the tools required by the Electric Fitter and supplies the correct tools to the Electric Fitter while carrying on the jobs of electrical installation, erections, maintenance and electrical repairing and in that connection as Electric Fitter Helper has also at times to climb on electric pole with the help of ladder or safety belt to supply the correct tools to the Electric Fitter and to assist him in his job and that no Electric Fitter Helper or any other workman with defective eye sight can be allowed to go underground the mine to work there. It is further his evidence that the electrical works are also associated with several dangers like electric shock and if there will be any electrical spark inside the mine the chances of explosion due to gas are also there and if an Electric Fitter Helper with defective eyesight is allowed to work, chances of danger to himself and others are there. Ext. M-18 is also a letter dated 7-9-79 from the Director-General of Mines Safety, Dhanbad to the Divisional Manager (Collieries) of the company, P.O. Jamadoba, Dist. Dhanbad stating that under clause (c) of Form P-1 prescribed under Rule 29F(i) and Rule 29L of the Mines (Amendment) Rules, 1978, a person having only one eye which functions normally should not be employed below ground and for employment on surface the vision of such a person in the other eye should be 6/12 with or without glasses and a person will be considered unocular when there is physical loss of one eye or when there is a functional loss of vision of one eye.

12. From the facts and circumstances of the case and the evidence adduced, as discussed above, it is, therefore, clear that the medical grounds on which the concerned workman was discharged from the service of the company with effect from 22-11-78 by letter dated 28-11-78 (Ext. M-7) of the Agent, Jamadoba Group, was a case of continued ill health and hence the termination of his service did not amount to "retrenchment" as defined in clause (oo) of section 2 of the Industrial Disputes Act 1947, as termination of service of a workman on the ground of continued ill health is excepted from the definition of "retrenchment" by sub-clause (c) of the said clause (oo) and hence the management was not bound to follow the procedure of retrenchment laid down in Section 25F of the Industrial Disputes Act, 1947 which enjoins on the management not only to give to the workman one month's notice in writing indicating the reasons for retrenchment or wages for the period of the notice in lieu of such notice but also requires the management to pay at the time of retrenchment compensation which shall be equivalent to fifteen days average pay for every completed year of continuous service or any part thereof in excess of six months.

13. Shri B. Lal, Advocate, appearing for the concerned workman has cited a decision of the Supreme Court in the case of Mohan Lal Vs. The Management of M/s. Bharat Electronics Ltd. (1981 Lab. I.C. 806) in which it has been held that niceties and semantics apart, termination by the employer of the service of workman for any reason whatsoever would constitute retrenchment except in cases excepted in the section 2(oo) itself, and the excepted or excluded cases are where termination is by way of punishment inflicted by way of disciplinary action, voluntary retirement of the workman, retirement of the workman on reaching the age of

superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf, and termination of the service of a workman on the ground of continued ill health. Since, however, I have already held above that termination of the service of the concerned workman was on the ground of continued ill health due to his defective eye sight which made him unsuitable for work as Electric Fitter Helper either in the underground or on the surface, his case as already mentioned above, is excepted from the definition of "retrenchment" as given in clause (oo) of section 2 and, is therefore, not subject to the conditions precedent to retrenchment of workman as given in section 25F of the Industrial Dispute Act, 1947.

14. On the other hand, Sri B. Joshi, Advocate, appearing on behalf of the management, has referred to a decision of the Supreme Court in the case between the Workman of Sudder Office Cinnamara and the Management of Sudder Office and another (1971) 8 S.C.L.J. 57 in which it has been held that where an order of termination is termination simpliciter under Contract or Standing Orders of the company and the management has not prompted by mala fides, victimisation and unfair labour practise, the order does not amount to one of dismissal as and by way of punishment and it does not call for any interference. Sri B. Joshi has also referred to clauses 13 and 14 of the Standing Orders of the Company (Ext. M.17) which state that for terminating employment whether by the management or by an employee, notice shall be given in writing by the party concerned, one month's notice for monthly paid staff and one week's notice for weekly paid employees and the management may make payment of wages for the period in lieu of notice, and he has submitted that since that concerned workman was a monthly paid staff he was offered one month's wages in lieu of the notice by the letter dated 28-11-78 (Ext. M-7) of the Agent, Jamadoba Group while terminating his service with effect from 22-11-78 on medical grounds.

15. On a consideration of the facts and circumstances of the case and the evidence adduced, as discussed above, I am, therefore, of the opinion that the action of the management in terminating the services of the concerned workman, Bhiku Mahato, Electric Fitter Helper, with effect from 22-11-1978 is justified and he is not entitled to any relief, and the reference is answered accordingly. In the circumstance of the case, however, there will be no order as to cost.

MANORANJAN PRASAD, Presiding Officer.

[No. L-20012(5)/81-D.III(A)]

S.O. 3186.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Kapasara Area of Messrs Eastern Coalfields Limited, Post Office Mugma, District Dhanbad and their workmen, which was received by the Central Government on the 26th July, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 41 of 1982

PARTIES :

Employers in relation to the management of Kapasara Area of Messrs Eastern Coalfields Limited, Post Office of Mugma, Distt. Dhanbad

AND

Theri Workmen.

APPEARANCES :

For the Employers—Shri R. S. Murty, Advocate.

For the Workmen—Shri D. Mukherjee, Advocate.

STATE : Bihar

INDUSTRY : Coal.

Dhanbad, dated the 21st July, 1983

AWARD

The present reference arises out of Order No. L-20012 (22)/82-D.III(A), dated the 24th April, 1982 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

"Whether the action of the management of Eastern Coalfields Limited, Kapasara Area, Post Office Mugma, District Dhanbad in not implementing the order of promotion dated the 28th July, 1981 of the Electrical and Mechanical staff of Mandman Unit is justified? If not, to what relief are Shri Shamsuddin and Shri Rafi Ahmed of the Electrical Mechanical Discipline entitled and from what date?"

2. The dispute has been settled out of Court. A memorandum of settlement dated 19-7-1983 has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

MANORANJAN PRASAD, Presiding Officer

[No. L-20012(22)/82-D.III(A)]

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of Ref. No. 41 of 1982

PARTIES :

Employers in relation to the Management of Kapasara Area of Eastern Coalfields Limited.

AND

Their workmen.

Joint petition of Employer and workmen.

The above mentioned employers and workmen most respectfully beg to submit jointly as follows :

(1) That the matter covered by the above reference has been mutually negotiated between the management and the workmen with a view to arriving at an amicable over-all settlement.

(2) That as a result of such negotiations the management and the workmen have agreed to settle the matter on the following terms and conditions :—

(a) It is agreed that the management will promote Shri Rafi Ahmed to post of Electrical Suprv. Tech. & Suprv. 'A' and Sri Salahuddin to the post of Electrical Foreman in Tech. & Supr. Grade 'B' from Asstt. Elect. Foreman Grade 'C' with effect from 1-7-1983.

(b) It is agreed that this is an overall agreement in respect of all the claims arising out of the aforesaid reference in respect of the workmen concerned and it is in full and final settlement of all such claims.

(3) That the employers and workmen jointly submit that the aforesaid agreement is fair just and reasonable to both the parties.

It is therefore prayed by the employers and the workmen that the Hon'ble Tribunal may be pleased to accept this joint petition and agreement contained therein and give an award in terms thereof.

Sd/-

(Arun Singh)
Vice President,
Colliery Mazdoor Sabha of India,
Mandman Colliery,
P.O. Murgma,
Dist: Dhanbad.

Sd/-

(J. K. Gulati)
General Manager,
Kapasara Area,
Eastern Coalfields Limited,
P.O. Sersapahari (Chirkunda)
Dist : Dhanbad

Sd/-

(Ral S. Murthy),
Advocate for Employer

S.O. 3187.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of East Bhuggatdih Colliery of Messrs Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 26th July, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), DHANBAD

Reference No. 46 of 1981

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of East Bhuggatdih colliery of Messrs Bharat Coking Coal Ltd.
Post Office Jharia, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the workmen—Shri S. P. Singh, General Secretary, Khan Mazdoor Congress, Dhanbad.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 22nd July, 1983

AWARD

This is a reference under S 10 of the I.D. Act, 1947. The Central Government by its order No. L-20012(96)/81-D. III(A) dated 2-7-1981 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the demand of the workmen of East Bhuggatdih colliery of Messrs Bharat Coking Coal Limited, Post Office Jharia, District Dhanbad that Shri Arjun Mallah, Moulder should be given categories VI and S/Shri Narayan Mallah and Rameshwar Mallah, both

both Moulder helpers/mazdoors should be given category III is justified? If so, to what relief are the said workmen entitled?'

2. As will appear from the schedule one of the concerned workman Shri Arjun Mallah, moulder is claiming that he should be placed in category VI, and the other two S/Shri Narayan Mallah and Rameshwar Mallah who were both moulder helpers should be given category III. According to the concerned workman Shri Arjun Mallah is moulder for more than 10 years and he has been moulder even from the time of the private owner of East Bhuggatdih colliery. As a senior moulder he should have been placed in category VI. Similarly the other two concerned workmen having working as moulder helpers ever since the time of private owner and they were in category I. According to them they have acquired sufficient skill and therefore they should be placed in category III.

3. The case of the management is that placing a workman in higher category is dependent upon the skill which a workman possesses and therefore it is a function of the management to see whether a promotion is desirable. According to the management this Tribunal is not competent to go into the question of promotion except on the ground of unfair labour practice. The positive case of the management is that according to the wage board recommendation moulders are in category V and VI and moulder helpers are in category I and II. After nationalisation these concerned workmen were placed in proper categories because the private owner did not follow in practice the wage board recommendation in fixing the category of these workmen.

4. All these three workmen have been examined in this case as witnesses. Shri Arjun Mallah is WW. 1. He has said that he has been working since 1970 as moulder in East Bhuggatdih colliery. His brother Shri Bhim Mallah was also a moulder, but he died a year back and no appointment was made in his place. He has deposed that there are similar workshops at Kustore, Loyabad and Chandmari collieries where there are moulders. He has said that in these collieries the moulders are in category V and VI. He was unable to give the names of the moulders who are in category VI. His evidence is that the moulders in these collieries were appointed after him but they are in category VI. The management filed two documents, Exts. M1 and M2 as called for by the workmen. Ext. M1 shows that in Chandmari Central Workshop there are six moulders and two of them viz. Sl. No. 1 Shri Tinkori Dey and Sl. No. 2 Shri Lakhji Mahato are in category VI since 1974. The rests are in category V. In the central workshop, Kustore, vide Ext. M2 there is only one moulder Sl. No. 1 Shri Titulal Hazra who is in category VI. The other two moulders are in category V. The date of initial appointment of Sl. No. 1 Shri Titulal Hazra is shown to be 29-6-63 and the other two who are in category V are shown to have been appointed on 1-10-71. These two documents will go to show that the concerned workman who is in category V is not senior to those in category VI by virtue of an earlier initial appointment. There is, therefore, no case of supersession. The evidence shows that East Bhuggatdih workshop is smaller than the other two workshops and these has been no scope for more than one moulder. The case of Shri Arjun Mallah that he should have been promoted to category VI is not justified on the basis of evidence adduced.

5. With regard to the other two moulder helpers the case is that they are in category I. But WW-2 Shri Rameshwar Mallah has said that at present he and Shri Narayan Mallah, the two concerned workmen are in category II. It appears that after this reference was made, the management has promoted them to category II. The management has referred to Ext. M 1 and M 2 which also gives a list of moulder helpers. In both these documents the moulder helpers are shown to be in category II and none in category III. According to the management the management has to consider that a moulder helper acquires sufficient skill to be legible to be placed in category III as he has to perform jobs of technical nature. Now that these two concerned workmen who are moulder helpers have been placed in category II, I do not think that their claim for being placed in category III could at all be justified.

6. Thus, having considered all aspects of the case I hold that the demand of the workmen of East Bhuggatdih colliery of Messrs Bharat Coking Coal Limited, Post Office Jharia, Dist. Dhanbad that Shri Arjun Mallah, Moulder should be given category VI and S/Shri Narayan Mallah and Remeshwar Mallah, both moulder helpers/mazdoors should be given category-III is not justified. Consequently, the workmen are not entitled to any relief.

J.P. SINGH, Presiding Officer.
[No. L-20012(96)/81-D. III(A)]

S.O. 3188.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Area Colliery of Central Coalfields Limited, and their workmen, which was received by the Central Government on the 27th July, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 22 DHANBAD.

PRESENT :

Shri J.P. Singh,
Presiding Officer.

REFERENCE NO. 88 OF 1982.

In the matter of an industrial dispute under S. 10 (1) (d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Ara colliery of Central Coalfields Limited, Post office Kuju, District Hazaribagh and their workmen.

APPEARANCES :

On behalf of the employers : Shri R.S. Murthy, Advocate.

On behalf of the workmen : Shri B.J. Joshi Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 20th July, 1983

A W A R D

This is an industrial dispute under S.10 of the I.D. Act, 1947. The Central Government by its order No. L-20012 (115)/82, DIII(A) dated 29-7-82 has referred the dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the action of the management of Ara colliery of Messrs Central Coalfields Limited, Post office Kuju, district Hazaribagh in dismissing Shri Hari Narain Prasad, Gr. II clerk (Magazine clerk) from service with effect from the 3rd December, 1980 is justified ? If not, to what relief is the said workman entitled ?"

2. The concerned workman was dismissed from service consequent upon a domestic enquiry held on charges of misconduct. The enquiry was conducted by Shri B.C. Jha (MW-1) who happened to be a Sr. Personnel Officer at Kuju Area of Central Coalfields Ltd. There was a prayer on behalf of the management to consider as a preliminary point as to whether the enquiry was fair and proper. It was in that context that the enquiry officer was examined. He proved the charged-sheet Ext. M-1 dated 31-7-80. He also proved the reply of the concerned workman. Ext. M 2 dated 4-8-80. He was appointed Enquiry officer by an office order dated Ext. M 3 signed by the Agent, Ara Colliery. The two petitions filed by the workman in the course of enquiry are Exts. M 4 and M 5. The enquiry officer examined witnesses in the enquiry proceeding and also recorded the statements of the

workman. No witness was examined on behalf of the workman. The entire proceeding in 14 pages is Ext. M-6. The enquiry officer had given notice of enquiry to the concerned workman on 22-8-80 and this is Ext. M 7. The held the enquiry on 26-8-80 and 23-8-80. The three witnesses of the management were examined in the presence of the concerned workman and he had full opportunity to cross-examine the witnesses. The enquiry officer submitted his report, Ext. M 8. The Agent, Area colliery put a note Ext. M 8/1. The General Manager, Kuju marked it to the Personnel Manager, Kuju by his note dated 12-11-80. This is Ext. M 8/2. The Personnel Manager, Shri M.P. Sinha put a note Ext. M 8/3. The order of Shri A. N. Sinha, General Manager is Ext. M 8/4 which is the dismissal order in respect of the concerned workman. It was issued by Shri S. Sahay Agent, Area colliery which is Ext. M 9.

3. The domestic enquiry was held to be fair and proper and thereafter the parties have been heard on merits of the case. We have to see if the dismissal based on the findings recorded at the time of domestic enquiry have been amply proved to justify an order of dismissal.

4. The concerned workman, Shri Hari Narain Prasad was issued charge sheet No. PO/ARH/Discit/80/4050 dated 31-7-80 by the Project officer/Agent, Ara colliery. The charge reads thus :

- (1) "That you gave the key of magazine of Ara colliery to Shri Bhudev Banerjee, explosive issuer of Sarubera colliery on 30-7-80 at about 4 P.M. without any instruction/permission of competent authority while you were on duty.
- (2) That a theft occurred in the magazine of Ara colliery at about 8 P.M. on 30-7-80 and a box containing 25 Kgs. of explosives and 300 numbers of detonators were stolen from the above magazine which were subsequently recovered from outside the compound wall of the above magazine after some time.
- (3) That your above acts clearly indicate that the theft occurred in the above magazine on the above date and time due to your connivance."

5. The above charges were said to constitute acts subversive of discipline and misconduct under clause 17 (1) (a) (i) of the Model Standing order. The concerned workman was placed under suspension w.e.f. 31-7-80 and was asked to submit his show cause not later than 3 days of the receipt of the charge-sheet. The show cause was issued by the management on 4-8-80. The concerned workman stated that on 30-7-80 he handed over the key of the magazine at about 4 P.M. to Shri Bhudev Banerjee, another explosive clerk because having heard the serious illness of his four year old child he had to rush to his house. The child was having vomiting and loose motion. In the past also when occasions arose for his physical absence either partly or fully from duty he used to hand over key to Shri Bhudev Banerjee which was a fact very well known to the Under Manager and Manager of the colliery. This was done in order that during his absence the work of coal raising could not suffer. On 30-7-80 also he followed the same practice as he was mentally upset. He took his son to the doctor and obtained medicine. In his statement before the enquiry officer the concerned workman admitted that under the rules he had to take permission from the Under Manager or Manager before handing over the key to Shri Bhudev Banerjee. He had no idea about the theft and he was not in any conspiracy with others to commit theft.

6. Now let us turn to the evidence in this case. Three witnesses have been examined before the enquiry officer. Witness No. 1 is Shri Bhim Bhagat, security guard. His duty was between 8 P.M. and 4 A.M. when he went to the magazine at 8 P.M. he found that the magazine room was not locked. He flashed his torch and found that Shri Ramakant Pathak is coming out of the magazine room. On enquiry Shri Pathak told him that he had some work in the magazine. At that very time Shri Chedi Mian, another guard was raising hulla-chor, chor. Shri Bhim Bhagat went there and found explosives and detonators lying outside the compound wall. Thereafter Shri Ramakant Pathak locked the magazine and said that he was going to hand over the key to Shri Bhudev Banerjee. Shri Chedi Mian then went to inform the officer. The

Project Officer, Shri Jha, Shri Pandey etc. arrived there. The stolen properties were also recovered. The police also came on information. The concerned workman did not cross-examine him. Shri B.D. Pandey, senior overman, is witness No. 2. He learnt from Shri Chedi Mian at about 8.30 P.M. about theft in the magazine. He informed the Project Officer and went to the magazine. He found that one box of explosives and three packets of detonators and 3 empty sacks were lying there. Shri Bhim Bhagat, and Shri Chedi Mian were also present there. He learnt that Shri Ramakant Pathak was absent. An hour after the return he was questioned by the Project Officer. Shortly afterwards Shri Bhudev Banerjee came and he admitted that just then Shri Pathak had given him the key of the magazine. Shri Bhudev Banerjee had also said that Shri Pathak had told him that he wanted to sale explosives. The statement of Shri Chedi Mian is also on the same line and he was also not cross-examined by the concerned workman. The management did not examine any other witness.

7. It will appear from the evidence that a theft was committed. None of the witness have said anything against the concerned workman. The evidence was to the effect that Shri Bhudev Banerjee, explosive clerk had the key with him and he entrusted the key to Shri Ramakant Pathak one of the security guard whose duty was upto 12 midnight. At about 8 P.M. the magazine was open and some explosives and detonators were removed from the magazine and kept outside the compound wall of the magazine. The evidence adduced is of no indication of the fact that the concerned workman had any hand in this theft or was with the conspiracy either with Shri Bhudev Banerjee or with Shri Ramakant Pathak. He has admitted that he is responsible of keeping the key and the key had to be given to Shri Bhudev Banerjee with the permission of the Under manager or the Manager. Shri Bhudev Banerjee is an explosive clerk in respect of Surubera colliery whose explosives are also kept in the magazine of Ara colliery. Generally the concerned workman and Shri Bhudev Banerjee worked in shifts. On that particular day when the theft took place the concerned workman was on duty from morning upto 4 P.M. and a little before that he received information that his son was vomiting and passing loose motion. He handed over the key to Shri Bhudev Banerjee and ran to his house to look after the child. The concerned workman has admitted that he was in nervous tension on hearing the illness of his son and he did not think of taking permission from the Under manager or the Manager to hand over the key to Shri Bhudev Banerjee. Moreover, he had said that it was a practice in the magazine that whenever he was not on duty the key of the magazine used to be given over to Shri Bhudev Banerjee. He had no reason to suspect Shri Bhudev Banerjee because never such incident occurred in the magazine.

8. I find from the report of the enquiry officer that he has not mentioned also how the concerned workman could be held guilty of the charge except on a finding that he had a hand in commission of this crime of theft. It is no doubt true that the concerned workman has admitted that before handing over the key of the magazine to Shri Bhudev Banerjee he should have taken the permission of atleast the Under manager. But this is a formality only because a practice had developed that the concerned workman used to give the key of magazine to Shri Bhudev Banerjee who was another responsible clerk deputed in the magazine. I think the explanation given by the concerned workman should be enough to show his bonafide. Moreover, the concerned workman has produced the prescriptions and the medical certificate granted by the Doctor to examine his son on that particular day. But apart from that it has been shown here that Shri Bhudev Banerjee and Shri Ramakant Pathak were charged under Sec. 379 and 411 I.P.C. and were tried and found to be not guilty. The learned Magistrate found that it was not a case of theft. Thus, it will appear that the management has not been able to show how he could be held guilty of the charges framed against him. To my mind his explanation seems to be very straightforward and the same should have been accepted by the management.

9. It is clear that a dismissal based on the finding of guilt of the concerned workman cannot be sustained. It could at best a case of negligence in not taking permission from the superior officer in the matter of handing over key to Shri Bhudev Banerjee. But the concerned workman has fully explained the circumstances under which he could not contact his superior officer in this matter.

10. Thus having considered all aspects of the case I hold that the action of the management of Ara colliery of Messrs Central coalfields limited, Post office Kujju, District Hazaribag in dismissing Shri Hari Narain Prasad, Gr. II clerk (magazine clerk) from service with effect from the 3rd December, 1980 is not justified. Consequently, the concerned workman should be deemed to be in the service of Ara colliery with effect from 3rd December, 1980. He is also entitled to all the back wages and other emoluments with effect from that date.

This is my award.

J.P. SINGH, Presiding Officer,

[No. L-20012(115)/82-D- II(A)]

S.O. 3189.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Madhuband Colliery of Messrs Bharat Coking Coal Limited, and their workmen, which was received by the Central Government on the 27th July, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

Reference No. 114 of 1982

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Madhuband Colliery of Messrs Bharat Coking Coal Limited, Post Office Mudkhurkee, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the workmen—Shri D. Mukherjee, Secretary Bihar Colliery Kamgarh Union, Dhanbad.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 19th July, 1983

AWARD

This is an industrial dispute under S.10 of the I.D. Act, 1947. The Central Government by its order No. L-20012(176) 82-D.III(A) dated 24th September, 1982 has referred the dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

“Whether the demand of the workmen of Madhuband Colliery of Messrs Bharat Coking Coal Limited, Post office Mudkhurkee, District Dhanbad for re-employment of the Stone cutters listed in the Annexure below is justified ? If so, to what relief are the workmen concerned entitled ?”

ANNEXURE

S. No. Name

1. Shri Ramjan Khan
2. Shri Nagendra Mahato.

3. Shri Bhaktu Mahato
4. Shri Hakik Khan
5. Shri Soyab Seikh
6. Shri Jagdish Rai
7. Shri Ewul Shekh.
8. Shri Sohrai Mahato.
9. Shri Sukhdeo Das.
10. Shri Gandhi Goswami
11. Bhagirath Goswami
12. Shri Maheshwar Goswami
13. Shri Kabir Khan
14. Shri Edris Shekh
15. Shri Muchiram Mahato
16. Shri Ramphal Mahato
17. Shri Janki Roy.
18. Shri Subodh Goswami.

2. The annexure quoted above will show that there are 18 workmen. According to their case they were employed in Madhuband colliery during the time of the private owner as stone cutters. Madhuband colliery was taken over and nationalised with effect from 1-5-72 and since then this colliery is under the ownership of M/s. Bharat Coking Coal Ltd. The case of the workmen is that even after nationalisation of this colliery these concerned workmen and some other stone cutters had been working under the direct control and supervision of the colliery management. Furthermore, the management provided all the implements necessary for the execution of the work by the stone cutters. The positive case of the workmen is that they rendered continuous service as underground workers and they put in more than 190 days attendance in each calendar year. The job description and category of stone cutters find place in the wage board recommendation. They alleged that even before nationalisation the stone cutters were under paid by the private owners and after the nationalisation the colliery management instead of paying them directly used to disburse payment to them in the name of Shri Ramjan Khan. When the question of regularisation of all these stone cutters came up for consideration of the management, some of the stone cutters, viz. S/Shri Mhomd Hussain, Full Chand Rabidas, Manju Gope, Ram Prasad Goswami, Chunilal Mahato and Paban Mahato were regularised as stone cutters. Ultimately, with the matter of regularisation of these concerned workmen came up in 1975, they were stopped from work without any charge-sheet, enquiry or following the procedure of retrenchment. The concerned workmen represented before the management and they were assured that favourable consideration would be made. The management stalled the matter for a long time and so ultimately the concerned workmen were compelled to raise this dispute through their union viz. Bihar Colliery Kamgarh Union. Since the conciliation ended in failure, this reference was made to this Tribunal for adjudication.

3. The management has denied any relationship of employer and employee meaning thereby that these concerned workmen were never the workmen of Madhuband Colliery. The colliery was taken over by the Government of India and placed under the Custodian. The Custodian observed that some of the stone work used to be given on contract from time to time to one Shri Ramjan Khan who is S. No. 1 in the annexure to this reference. According to the management such stone works are temporary job and could be available occasionally in a span of years. This is the reason why the contractors were given such jobs. The contractors including Shri Ramjan Khan used to employ his own workmen to execute the contract and the colliery management had nothing to do with contractor workers. According to the management, the contract work entrusted to Shri Ramjan Khan was completed towards the end of 1971 and after that Shri Ramjan Khan paid all his workers. The management's case is that after nationalisation which took place on 1-5-72, the management pre-planned stone work in a manner so as to employ some stone cutters on regular basis and accordingly employed some of the stone cutters out of the contractors workers on the basis of proper selection. The management had also denied

that Sl. Nos. 2 to 18 of the annexure did not work as contractors labour under Shri Ramjan Khan on permanent basis and they were all temporary or casual. It was denied that the concerned workmen at all worked during the time of M/s. Bharat Coking Coal Ltd. For these reasons the management prayed that the reference should be rejected.

4. On behalf of the workmen two witnesses have been examined. WW-1 Md. Hussain is the son of Shri Ramjan Khan. This Md. Hussain is stone cutter working in Madhuband colliery since 1964. He knows all the concerned workmen. He has said that in Madhuband colliery there was a gang of stone cutters numbering 24 during the time of the private owner. After nationalisation he and 5 others of the gang of 24 persons were permanent stone cutters of the colliery on 12-7-72. The remaining concerned workmen were not made permanent. His evidence is that the concerned workmen worked in the colliery as stone cutters till June or July 1975. The witness has said that manager of the colliery Shri Bahal Sahib had appointed them as stone cutters during the time of the private owner. The implements of stone cutting such as hammer, gaita, kunic, baskets etc. were supplied by the management of the colliery. The work of stone cutting used to be supervised by the colliery management during the time of the erstwhile employer as also during the time of Custodian and M/s. Bharat Coking Coal Ltd. He has said that except Sundays all the stone cutters used to work regularly in the colliery. According to him the concerned workmen and others had continuously worked upto 1975. His evidence is that in the colliery if there is no stone cutting, there could be no extraction of coal. The witness has given a system which was followed in respect of stone cutters. Before going underground the attendances of stone cutters is to be marked in Form C register. He has referred to a wage sheet of Madhuband colliery for the year 1971 bearing the signature of Bahal Sahib. In this wage sheet Sl. No. 4 bears the signature of this witness. The wage-sheet was marked Ext. W-1. Another wage sheet of 1975 is under the signature of Shri S. C. Gupta, colliery manager. It was marked Ext. W-2. It was denied by him that any of the concerned workmen or other stone cutters were paid by the contractor, Shri Ramjan Khan. He also denied that the work of stone cutting is only occasional. He has given the name of stone cutters including him who were made permanent.

5. WW-2 is Shri Ramjan Khan, one of the concerned workman. He was stopped from work by the manager, Shri Gupta of Madhuband colliery in 1975. He used to work as stone cutter from the time of private owner. The colliery used to engage a group of 24 stone cutters and out of them six were made permanent by M/s. Bharat Coking Coal Ltd., after nationalisation. He has said that all the concerned workmen worked continuously upto 1975 and completed more than 190 days attendance. He had also said that he and others were appointed for the first time by the senior colliery manager and they worked in 18A seam and 19A seam. He has said that the thickness of the seam was 4-1/2 feet or 5 feet and the height of the tub is 3-1/2 feet. They were underground workers and therefore their attendance was marked in Form C register. It was denied by him that he was a contractor and the other concerned workmen used to work under him. According to him he was paid wages like other concerned workmen directly by the management.

6. The management has examined MW-1 Shri G. M. Bhattacharjee. He was appointed in 1962 as underground munshi in Madhuband colliery. In 1963 he became bonus clerk in the same colliery and he has worked as bonus clerk till 1981. He is now attached to the Agent's office. He has proved one bonus register, Ext. M-1 and has said that in this register, which is for the year 1973, the names of these concerned workmen do not appear. Similarly, he has proved one cash book of Madhuband colliery, Ext. M-2 in which all the expenditure of the colliery has been entered. Ext. M-3 is another cash book register for the year 1972. Ext. M-1 does not have the signature of any officer of the company, but Ext. M-2 M-3 the signature of Shri Bhal the then colliery of the colliery appear. The witness has proved Ext. M-4 which are wage sheets kept in a bundle. These wage sheets contain the bill of Shri Ramjan Khan, contractor which was prepared by the surveyor, Shri S. K. Chopra Shri Ramjan Khan was paid on the basis of the wage sheet as per the bill prepared for payment. The witness was not able to say if this Ramjan Khan, contractor is a workman here. The entry was

marked Ext. M-4/1. The witness has said that Ext. W-1 and Ext. W-2 have not been written by any of the clerical staff of Madhuband colliery and they do not bear the signature of the manager, Shri Bahal. He has also proved one letter, Ext. M-5 dated 22-2-73 bearing the signature of Shri Bahal. The witness has said that Ext. W-2 does not contain the signature of Shri V. K. Gupta, the colliery manager. In cross-examination he has proved Exts. W-3, W-4 and W-5.

7. It will appear from the above that the positive case of the management is that these concerned workmen were not employees of Madhuband colliery but were employees of the contractors, Shri Ramjan Khan who is a workman in Sl. No. 1 of the schedule of this Reference. The management's case is that prior to nationalisation these concerned workmen along with the contractor, Shri Ramjan Khan ceased to work as contractor. Since then they have not worked in the colliery. Ext. M-4 happened to be some vouchers for the year 1972. Since MW-1 has said that the entry, Ext. M-4/1 has the LTI of Shri Ramjan Khan, it concerns the workman as contractor. But Ext. M-4 is all for the year 1972 and the positive case of the management is that Shri Ramjan Khan ceased to be contractor during 1971. So, in Ext. M-4 there is no likelihood that Shri Ramjan Khan was working as contractor in the colliery. On the other hand the positive case of the workmen is that Shri Ramjan Khan and all other concerned workmen worked till 1975 when they were stopped from work. In this connection on behalf of the workmen Ext. W-1 has been filed. This document is with regard to stone cutters of 18A seam for the year 1971. The names of 24 stone cutters headed by Shri Ramjan Khan has been shown. This document shows the attendance of six days and the rate of payment per head at Rs. 3.6 paise. There is also register of wages Ext. W-2 dated 14-4-75 in which Shri Ramjan Khan, stone cutter received Rs. 408. Besides that there is one document, Ext. W-3 dated 14-8-75. It has been signed by the manager of Madhuband colliery. It is mentioned that since Shri Ramjan Khan had agreed to work at schedule rate of the company, the company was pleased to place order with him. There is another letter of the colliery manager dated 29-3-75 addressed to Shri Ramjan Khan, contractor. Under this it is said that he was required to make disbursement of the wages to his workers. Ext. W-5 is an office order dated 4-2-74. Under this office order Shri Ramjan Khan along with six others were directed to produce licence and registration from the office of the Regional Labour Commissioner (C) Dhanbad or otherwise the contract would be cancelled. The documents, Exts. W-3, W-4 and W-5 suggest that Shri Ramjan Khan worked as a contractor of stone cutting in Madhuband colliery till 1975. It appears to me that Shri Ramjan Khan happened to be the sirdar of the gang of stone cutting and he used to work in a group of 24 persons. After nationalisation the management picked up six persons to be regularised as stone cutters. Shri Ramjan Khan, however continued to be the group leader of remaining 18 stone cutters and styled as contractor and continued as such till 1975. He was asked to procure licence as contractor because the colliery could not engage un-licensed contractor in contravention of the provision of Contract Labour (Regulation and Abolition) Act, 1970. This Shri Ramjan Khan could not procure the licence with the result that he and other concerned workmen have been thrown out of employment. In this context with the result that he and other concerned workmen have been thrown out of employment. In this context it has been urged on behalf of the workmen that these concerned workmen inspite of the assertion of the management that they were contractors men, still had the status of workmen under the principle employer i.e. the management of Madhuband colliery, 1964. Vol. II LJI Page 633(S.C.) has been relied on. This is a case of bidi manufacturers engaging a number of persons on contract for getting the work of rolling the bidi done—such persons in turn engaging a number of other persons. Such workers were paid on piece rate basis and intermediaries were paid commission. The Tribunal gave the finding that the bidi manufacturers were the principle employers in respect of the bidi rollers. This was confirmed by the High Court and the Supreme Court also confirmed the same. The second case referred is LJI-Vol. I-1962 page 37. This was a case between United Salt Works and Industries Ltd. vs their workmen.

"The Management employing labourer through Mukaddams—such Mukaddams deducting their commission from out of wages payable to the workmen so

employed. The direction to the employer that the workmen so employed should be treated as the direct employees and that the Mukaddams should be taken over as regular semi-skilled employees of the company. In the circumstances held justified.

1978 Lab. IC page 1264(SC) Hussainbhai Vs. The Alath Factory Teshillal Union and others—has also been referred to. The principle has been enunciated by their Lordship as follows :

"Where a worker or group of workers labours to produce goods or service and their goods and services are for the business of another that other is in fact the employer. He has economic control over the workers subsistence skill and continued employment. If he, for any reason, chokes off, the worker is, virtually laid off. The presence of intermediate contractors with whom alone the workers have immediate or direct relationship ex-contratu is of no consequence when on lifting the veil or looking at the consequence of factors governing employment it is found though draped in different perfect paper arrangement that the real employer is the management, not the immediate contractor."

8. The position is that whatever view we take as to whether these concerned workmen were employees of the colliery or contractors men, the concerned workmen could not be thrown out of employment by the management of Madhuband colliery which has been the principal employer. It has been shown on behalf of the workmen that they are underground labourers engaged in stone cutting. It has also been shown that stone cutting is necessary in order that there could be coal raising. Stone cutters have been mentioned in the wage board recommendation as workers engaged in the coal industry. After nationalisation six out of the 24 stone cutters were regularised and the rest left to work under the contractor, Shri Ramjan Khan. This is an admitted case of the management and the management could not get away from this position. I have already said that Shri Ramjan Khan and 17 others were thrown out of employment in 1975 because the management of Madhuband colliery was not prepared to keep them. Since it has been shown that even from before nationalisation these concerned workmen were working in Madhuband colliery and they also worked till 1975, they could not have been asked to stop work by the management of Madhuband colliery which, in the eye of law happened to be the principal employer in relation to these concerned workmen. The action of the management, therefore, amounts to retrenchment and such retrenchment has been done without observing the formalities of S. 25F of the I.D. Act, 1947. Such retrenchment, therefore cannot be said to be valid.

9. Having discussed the matters connected with this reference, this reference is answered accordingly :

The demand of the workmen of Madhuband colliery of Messrs Bharat Coking Coal Limited., Post office Nudkharkee, District Dhanbad for re-employment of the stone cutters listed in the Annexure of the schedule is justified. Consequently, they should be deemed to be in the employment of Madhuband colliery w.e.f. 1-1-1976 with all their back wages and other emoluments from that date.

This is my award

I. P. SINGH, Presiding Officer

[No. L-20012(176)/82-D.III(A)]

A. V. S. SARMA, Desk Officer

नई दिल्ली, 1 अगस्त, 1983

का. आ. 3190 :—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (6) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 1469 तारीख 23 फरवरी, 1983 द्वारा पाइराइट्स खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 23 फरवरी, 1983 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजन के लिए 23 अगस्त, 1983 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है ।

[सं. एस-11017/1/80-डी-1-ए.]

New Delhi, the 1st August, 1983

S.O. 3190.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947) declared by the notification of the Government of India in the Ministry of Labour No. S.O. 1464 dated the 23rd February, 1983 the Pyrites Mining Industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 23rd February, 1983.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 23rd August, 1983.

[No. S-11017/1/80-DIA]

का. आ. 3191 :—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (6) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 1465 तारीख 23 फरवरी, 1983 द्वारा फास्फोरइट खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 23 फरवरी, 1983 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजन के लिए 23 अगस्त, 1983 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है ।

[सं. एस-11017/2/80-डी-1-ए.]

एस. एच. एस. अय्यर, अवर सचिव

S.O. 3191.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S.O. 1465 dated the 23rd February, 1983 the Phosphate Mining Industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 23rd February, 1983.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 23rd August, 1983.

[No. S-11017/2/80-DJA]

S. H. S. IYER, Under Secy.

नई दिल्ली, 27 जुलाई, 1983

का.आ. 3192.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा 31 जुलाई, 1983 को उस तारीख के रूप में नियत करती है जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात्:—

“तिरुचिन्नरवूर	चिगलेगुट जिले में तिरुचिन्नरवूर ताल्लुक में तिरुचिन्नरवूर नेमीलीचेरी राजस्व ग्रामों में शामिल होने वाले क्षेत्र तथा
तिरुवल्लूर तथा वाकलूर	चिगलेगुट जिले में तिरुवल्लूर ताल्लुक में तिरुवल्लूर वेण्णथुर, मेन्चल्लायुर, पेरिय-कृष्ण तथा काकलूर में शामिल होने वाले क्षेत्र हैं।

[संख्या एम्-38013/14/83-एच आई]

New Delhi, the 27th July, 1983

S.O. 3192.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 31st July, 1983 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which

have already been brought into force) of the said Act shall come into force in the following areas in the State of Tamil Nadu, namely:—

1. Thiruninravur.—Comprising the areas Thiruninravur Nemilichéri Revenue Villages in Sriperumbudur Taluk in chingleput District.
2. Thiruvallur and Kakkalur.—Comprising the areas Tiruvallur, Vengathur, Melnallathur, Periacuppam and Kakkalur in Tiruvallur Taluk in Chingleput District.

[No. S-38013/14/83-HI]

का०आ० 3193.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 31 जुलाई, 1983 को उस तारीख के रूप में निश्चित करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 [धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध हरियाणा राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“अम्बाला जिला का पंचकुला (जिसे पहले राजस्वग्राम राली हदबस्त संख्या 369 और राजस्व ग्राम अभैपुर हदबस्त संख्या 380 के क्षेत्र शामिल थे) ”

[संख्या एस-38013/15/83-एच०आई०]

S.O. 3193.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 31st July, 1983 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapter V and VII [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Haryana, namely:—

“Panchkula (area previously comprising of Revenue Village Rally Had Bast No. 369 and Revenue Village Abheypur Had Bast No. 380) of District Ambala.”

[No. S-38013/15/83-HI]

का०आ० 3194.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 31 जुलाई, 1983 को उस तारीख के रूप में निश्चित करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 [धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की

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जा चुकी है] के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“नार्थ आरकोट जिले में बालाजापेट तालुक में बालाजापेट नगरपालिका सीमायें, अम्मानाथनगल अम्मूर के राजस्व ग्रामों के अन्तर्गत आने वाले क्षेत्र।”

[संख्या एस-38013/16/83-एच०आई०]

S.O. 3194.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 31st July, 1983 as the date on which the provisions of Chapter IV (except section 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu, namely:—

“The area comprised within the revenue villages Walajapet, Walajapet Municipal Limits, Ammananthaneal Ammur in Walajapet Taluk in North Arcot District.”

[No. S-38013/16/83-HI]

का०आ० 3195.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ग) के अनुसरण में डा० आई०डी० बजाज के स्थान पर डा० डी०बी० बिष्ट, महानिदेशक, स्वास्थ्य सेवा, भारत सरकार को कर्मचारी राज्य बीमा निगम में सदस्य के रूप में नामनिर्दिष्ट किया है;

अतः अब, केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 4 के अनुसरण में भारत सरकार के भूपू० श्रम मंत्रालय की अधिसूचना संख्या का०आ० 850 (अ) दिनांक 21 अक्टूबर 1980 में निम्नलिखित संशोधन करती है अर्थात्:—

उक्त अधिसूचना में “[केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (ग) के अधीन नामनिर्दिष्ट] शीर्षक के नीचे सद् 6 के मामले की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी अर्थात्:—

“डा० डी०बी० बिष्ट,
महानिदेशक, स्वास्थ्य सेवाएं,
भारत सरकार, नई दिल्ली।

[संख्या यू०-16012/7/81-एच०आई०]

S.O. 3195.—Whereas the Central Government has, in pursuance of clause (c) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Dr. D. B. Bisht, Director General of Health Services as a member of the Employees' State Insurance Corporation, in place of Dr. I.D. Bajaj;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Late Ministry of Labour No. S.O. 850 (E), dated the 21st October, 1980, namely:—

In the said notification, under the heading "[Nominated by the Central Government under clause (c) of section 4]", for the entry against Serial number 6, the following entry shall be substituted, namely:—

"Dr. D.B. Bisht, Director General of Health Services,
Government of India, New Delhi."

[No. U-16012/7/81-HI]

नई दिल्ली, 28 जुलाई, 1983

का०आ० 3196.—हरियाणा राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री एच०एल० गुगनानी, के स्थान पर श्री एम० कुट्टापपन, सचिव, हरियाणा सरकार को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०आ० 850 (अ) दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, "[राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अर्थात् नामनिर्दिष्ट]" शीर्षक के नीचे मद् 12 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—

"श्री एम० कुट्टापपन,
सचिव, हरियाणा सरकार,
श्रम और रोजगार विभाग,
चंडीगढ़।"

[संख्या यू-16012/7/83-एच०आई०]

New Delhi, the 28th July, 1983.

S.O. 3196.—Whereas the State Government of Haryana has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri M. Kuttappan, Secretary to the Govt. of Haryana to represent that State on the Employees' State Insurance Corporation, in place of Shri. H.L. Gugnani;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S.O. 850 (E), dated 21st October, 1980, namely:—

In the said notification under the heading "[Nominated by the State Government under clause (d) of section 4]", for the entry against Serial Number 12, the following entry shall be substituted, namely:—

"Shri M. Kuttappan, Secretary to the Govt. of Haryana,
Labour & Employment Department, Chandigarh."

[No. U-16012/7/83-HI]

का०आ० 3197.—कर्नाटक राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री पी०डी० शेनॉय के स्थान पर श्री एम० चित्तरंजन दास, सचिव, कर्नाटक सरकार को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के भू०पू० श्रम मंत्रालय की अधिसूचना संख्या का०आ० 850 (अ), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, "[राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अर्थात् नामनिर्दिष्ट]" शीर्षक के नीचे मद् 15 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—

"श्री एम० चित्तरंजन दास,
सचिव, कर्नाटक सरकार,
समाज कल्याण एवं रोजगार विभाग,
बंगलूर।"

[संख्या यू-16012/8/83-एच०आई०]

S.O. 3197.—Whereas the State Government of Karnataka has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri M. Chittaranjan Das, Secretary to the Government of Karnataka to represent that State on the Employees' State Insurance Corporation, in place of Shri P.D. Shenoy;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S.O. 850(E), dated the 21st October, 1980, namely:—

In the said notification, under the heading "[Nominated by the State Government under clause (d) of section 4]", for the entry against Serial Number 15, the following entry shall be substituted, namely:—

"Shri M. Chittaranjan Das,
Secretary to the Govt. of Karnataka,
Social Welfare & Labour Department,
Bangalore."

[No. U-16012/8/83-HI]

का०आ० 3198.—मेघालय राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री एम० मावेंइन के स्थान पर श्री जे०एम० फिरा, विशेष सचिव, मेघालय सरकार को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के भू०पू० श्रम मंत्रालय की अधिसूचना

का० आ० 850(अ), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, "[राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अर्थात् नामनिर्दिष्ट]" शीर्षक के नीचे मद् 19 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—

"श्री जे०एम० फिरा,
विशेष सचिव,
मेवाला सरकार,
श्रम विभाग, शिलांग।"

[संख्या यू-16012/9/83-एच० आई०]

S.O. 3198.—Whereas the Government of Meghalaya has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri J. M. Phira, Special Secretary to the Government of Meghalaya to represent that State on the Employees' State Insurance Corporation, in place of Shri M. Marwein;

Now, therefore, in pursuance of Section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S.O. 850(E), dated the 21st October, 1980, namely:—

In the said notification, under the heading "[Nominated by the State Government under clause (d) of section 4]", for the entry against Serial Number 19, the following entry shall be substituted, namely:—

"Shri J. M. Phira,
Special Secretary to the Govt. of Maghalaya,
Labour Department, Shillong."

[No. U-16012/9/83-HI]

का० आ० 3199.—पंजाब राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री एस०के० सुवांकर के स्थान पर श्री हरिदयाल सिंह, सचिव, पंजाब सरकार को कर्मचारी राज्य बीमा निगम में उक्त राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के भू०पू० श्रम मंत्रालय की अधिसूचना संख्या का०आ० 850(अ), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, "[राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अर्थात् नामनिर्दिष्ट]" शीर्षक के नीचे मद् 22 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—

"श्री हरिदयाल सिंह,
सचिव, पंजाब राज्य सरकार,
स्वास्थ्य एवं परिवार कल्याण विभाग,
चंडीगढ़।"

[संख्या यू-16012/10/83-एच०आई०]

S.O. 3199.—Whereas the State Government of Punjab has, in pursuance of clause (d) of Section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri Hardial Singh, Secretary to the Government of Punjab to represent that State on the Employees' State Insurance Corporation, in place of Shri S. K. Sudhakar;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S.O. 850(E), dated the 21st October, 1980, namely:—

In the said notification, under the heading "[Nominated by the State Government under clause (d) of section 4]", for the entry against Serial Number 22, the following entry shall be substituted, namely:—

"Shri Hardial Singh,
Secretary to the Government of Punjab,
Health and Family Welfare Department,
Chandigarh."

[No. U-16012/10/83-HI]

नई दिल्ली, 30 जुलाई, 1983

का० आ० 3200.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 105, तारीख 24 दिसम्बर, 1981 के अनुक्रम में मैसर्स साइकल कारपोरेशन आफ इंडिया लिमिटेड आसनसोल को उक्त अधिनियम के प्रवर्तन से एक जून, 1981 से 31 मई, 1982 तक जिसमें यह तारीख भी सम्मिलित है, की एक वर्ष की ओर अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात्:—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है), ऐसी विवरणियां, ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी :

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

(1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; या

(2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख, उक्त अवधि के लिए रखे गए थे या नहीं; या

(3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नफ़द में और वस्तु रूप में पाने का हकदार बना हुआ है, या नहीं; या

(4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में उक्त अधिनियम के उपबन्ध प्रवृत्त, थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधि-भोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हें ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अव्यवहित नियोजक को, उसके अधिकर्ता या सेवक की ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर, में पाया जाए या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना ;

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गये किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

[संख्या एस-38014/9/81-एच० आई०]

स्पष्टीकरण ज्ञापन

इस मामले में छूट के आवेदन पर कार्यवाई करने में कुछ समय लग गया है या इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 30th July, 1983

S.O. 3200.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 105 dated the 24th December, 1981, the Central Government hereby exempts M/s. Cycle Corporation of India Limited, Asansol from the operation of the said Act, for a period of one year with effect from 1st June, 1981 upto and inclusive of the 31st, May, 1982.

2. The above exemption is subject to the following conditions, namely :—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under sub section (1) of section 44 for the said period; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to—

(a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/9/81-HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का० आ० 3201—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 1509, तारीख 29 मार्च, 1982 के अनुक्रम में मैसर्स भारत हेवी प्लेट एंड वैसल्स लिमिटेड, विशाखापत्तनम को उक्त अधिनियम के प्रवर्तन से 1 जुलाई, 1982 से 30 जून, 1983 तक, जिसमें यह तारीख भी सम्मिलित है, की एक वर्ष की अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें, निम्नलिखित हैं, अर्थात्:—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है), ऐसी विवरणियां, ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी;

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

(1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; या

(2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख, उक्त अवधि के लिए रखे गये थे या नहीं, या

(3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है, या नहीं; या

(4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के सम्बंध में उक्त अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा:—

(क) प्रधान या अव्यवहिन नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या

(ख) ऐसे प्रधान या अव्यवहिन नियोजक के अधि-भोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिमर में किसी भी उचित समय पर प्रवेग करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से सम्बन्धित ऐसे लेखा, बहियों और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हें ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अव्यवहिन नियोजक को, उसके अधिकर्ता या सेवक की, ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिमर, में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना;

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिमर में रखे गए किसी रजिस्टर, लेखा-बही या अन्य दस्तावेज को नकल तैयार करना या उससे उद्धरण लेना।

[संख्या एस-38014/12/81-एच० आई०]

स्पष्टीकरण ज्ञापन

इस मामले में छूट के आवेदन पर कार्यवाई करने में कुछ समय लग गया था इसलिए छूट का भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट का भूतलक्षी प्रभाव देन से किसी के हित पर प्रति-क्षुब्ध प्रभाव नहीं पड़ेगा।

S.O. 3201.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S. O. 1509 dated the 29th March, 1982 the Central Government hereby exempts Messrs. Bharat Heavy Plate and Vessels Limited, Visakhapatnam from the operation of the said Act for a further period of one year with effect from 1st July, 1982 upto and inclusive of the 30th June, 1983.

2. The above exemption is subject to the following conditions, namely:—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter

referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to—

(a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/12/81-HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3202.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०आ० 104, तारीख 22 दिसम्बर, 1981 के अनुक्रम में राष्ट्रीय कैमिकल्स एण्ड फर्टिलाइजर्स लिमिटेड, मुम्बई को उक्त अधिनियम के प्रवर्तन से 1 जुलाई, 1982 से 30 जून, 1983 तक की अवधि के लिए, जिसमें यह तारीख भी सम्मिलित है, छूट देनी है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात्:—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है), ऐसी विवरणियाँ, ऐसे प्रमाणों और ऐसी विनिर्दिष्टियाँ सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी;

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

(1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विनिर्दिष्टियों को सत्यापित करने के प्रयोजनार्थ; या

(2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा दया अपेक्षित रजिस्टर और अभिलेख, उक्त अवधि के लिए रखे गए थे, या नहीं; या

(3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है, या नहीं; या

(4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में उक्त अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा:—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधि-भोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उनके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहिषाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत

करें और उनके परीक्षा करने दें, या उन्हें ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अव्यवहारी नियोजक को, उसके अधिकारी या सेवक की ऐसी किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर, में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना;

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उसमें उद्धरण देना।

[संख्या एस-38014/17/81-एच०आई०]

स्पष्टीकरण जापन

इस मामले में छूट के आवेदन पर कारवाई करने में कुछ समय लग गया है, या इसलिए छूट का भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3202.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S. O. 104 dated the 22nd December, 1981, the Central Government hereby exempts the Rashtriya Chemicals and Fertilizers Limited, Bombay from the operation of the said Act for a further period of one year with effect from the 1st July, 1982 upto and inclusive of the 30th June, 1983.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration

of which exemption is being granted under this notification ; or

(iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory; be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/17/81-HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3203.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिमूचना संख्या 4282, तारीख 2 दिसम्बर, 1982 के अनुक्रम में अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली, की केन्द्रीय कर्मशाला, लांडरी तथा पुनर्वास और कृत्रिम अंग विभाग के निदेशित कर्मचारियों को उक्त अधिनियम के प्रवर्तन से 1 अक्टूबर, 1982 से 30 सितम्बर, 1983 तक की अवधि के लिए, जिसमें यह तारीख भी सम्मिलित है, छूट देती है।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात् :—

- (1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधान दर्शाते हुए अंग्रेजी में;
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे, जिनको पाने के लिए वे इस अधिमूचना द्वारा दी गई छूट के प्रवर्तन होने की तारीख से

पूर्व संदा: अभिदायों के आधार पर हकदार हो जाने;

- (3) छूट प्राप्त अवधि के लिए यदि कोई अभिदाय पाया हो संदा: किए जा चुके हैं, तो वे वापस नहीं किए जाएंगे;
- (4) उक्त कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवृत्त था (जिसे इसमें इसमें पश्चात् उक्त अवधि कहा गया है) ऐसी विवरणियाँ ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी;
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या इस निमित्त प्राधिकृत निगम का कोई अन्य पदधारी,—

(1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणों की विशिष्टियों को सत्यापित करने के प्रयोजनों के लिए, या

(2) यह अभिनियमित करने के प्रयोजनों के लिए कि कर्मचारी राज्य बीमा (साधारण), विनियम, 1950 द्वारा दया अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं, या

(3) यह अभिनियमित करने के प्रयोजनों के लिए कि कर्मचारी, नियोजक द्वारा दी गई उन प्रसुविधाओं को, जो ऐसी प्रसुविधाएँ हैं जिनके प्रतिफलरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद और/वास्तु रूप में पाने का हकदार बनता हुआ है या नहीं; या

(4) यह अभिनियमित करने के प्रयोजनों के लिए कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं,

निम्नलिखित कार्य करने के लिए मशकत होगा,—

- (क) प्रधान नियोजक या अव्यवहित नियोजक से यह अपेक्षा करना कि वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या
- (ख) ऐसे प्रधान नियोजक या अव्यवहित नियोजक के अधिभोग में के कारखाने स्थापन कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके भारसाधक व्यक्ति से यह अपेक्षा

करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसी लेखाबहियाँ और अन्य दस्तावेजों ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे या वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या

- (ग) प्रधान नियोजक या अव्यवहित नियोजक की उसके अधिकर्ता या सेवक की या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है परीक्षा करना; या
- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर लेखाबही या अन्य दस्तावेज की नकल करना या उससे उद्धरण लेना ।

[संख्या एस-38014/22/82-एच०आई०]]

स्पष्टीकरण शायन

इस मामले में छूट के आवेदन पर कार्रवाई करने में कुछ समय लग गया था इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है । यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा ।

S.O. 3203.—In exercise of the powers conferred by section 88 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the Notification of the Government of India in the Ministry of Labour No. S. O. 4282 dated the 2nd December, 1982, the Central Government hereby exempts the regular employees of the Central Workshop, Laundry and the Department of Rehabilitation and Artificial Limbs of the All India Institute of Medical Sciences, New Delhi from the operation of the said Act for a period with effect from 1st October, 1982 upto and inclusive of the 30th September, 1983.

2. The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refunded;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due

from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

- (5) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purposes of—

- (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/22/82-HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the application for exemption was received late. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3204.—केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०आ० 2699 तारीख 25 मार्च 1982 के अनुक्रम में हिन्दुस्तान एरोनाटिक्स लिमिटेड (लखनऊ प्रभाग) लखनऊ के नियमित कर्मचारियों को उक्त अधिनियम के प्रवर्तन से 1 अक्टूबर 1982 से 30 सितम्बर 1983 तक जिसमें यह

तारीख भी सम्मिलित है की ओर अवधि के लिए छूट देती है।

उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात्,—

- (1) पूर्वोक्त कारखाना जिसमें कर्मचारी नियोजित हैं एक रजिस्टर रखेगा जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधान दर्शित किए जाएंगे;

- (2) इस छूट के होते हुए भी कर्मचारी उक्त अधिनियम के अधीन एसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अभिदायों के आधार पर हकदार हो जाते;

- (3) छूट प्राप्त अवधि के लिए यदि कोई अभिदाय पहले ही संदत्त किए जा चुके हैं तो वे वापस नहीं किए जाएंगे;

- (4) उक्त कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवृत्त था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है) ऐसी विवरणियां ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी;

- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या इस निमित्त प्राधिकृत निगम का कोई अन्य पदधारी,—

- (1) धारा 44 की उपधारा (1) के अधीन उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनों के लिए या

- (2) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी राज्य बीमा (साधारण) विनियम 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं, या

- (3) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी नियोजक द्वारा दी गई उन प्रसुविधाओं को जो ऐसी प्रसुविधाएं हैं जिनके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है नकद और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या

- (4) यह अभिनिश्चित करने के प्रयोजनों के लिए कि उस अवधि के दौरान जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं,

निम्न लिखित कार्य करने के लिए सशक्त होगा,—

- (क) प्रधान नियोजक या अव्यवहित नियोजक से यह अपेक्षा करना कि वह उसे ऐसी जानकारी दे जो वह समझे; या
- (ख) ऐसे प्रधान नियोजक या अव्यवहित नियोजक के अधिभोग में के कारखाने स्थापन कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके भारमाधक व्यक्ति से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसी लेखाबहियाँ और अन्य दस्तावेजों ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने में या वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या
- (ग) प्रधान नियोजक या अव्यवहित नियोजक की उसके अधिकर्ता या सेवक की या ऐसे किसी व्यक्ति की जो ऐसे कारखाने स्थापन कार्यालय या अन्य परिसर में पाया जाए या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है परीक्षा करना; या
- (घ) ऐसे कारखाने स्थापन कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर लेखाबही या अन्य दस्तावेज की नकल करना या उससे उद्धरण लेना।

[संख्या एस-38014/23/82-एच०आई०]

स्पष्टीकरण ज्ञापन

इस मामले में छूट के आवेदन पर कार्रवाई करने में कुछ समय लग गया था, इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3204.—In exercise of the powers conferred by section 88 read with section 91A of the Employees' State Insurance Act 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S. O. 2699 dated the 25th March, 1982, the Central Government hereby exempts the regular employees of the Hindustan Aeronautics Limited (Lucknow Division), Lucknow from the operation of the said Act for a further period with effect from the 1st October, 1982 upto and inclusive of the 30th September, 1983.

2. The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;
- (2) Notwithstanding this, exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the

basis of the contributions paid prior to the date from which exemption granted by this notification operates;

- (3) The contributions for the exempted period, if already paid, shall not be refunded;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (5) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 of the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/23/82-HT]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3205.—केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०आ० 1559 तारीख 31 मार्च 1982 के अनुक्रम में मेंमर्स हिन्दुस्तान एरोनाटिक्स लिमिटेड (कानपुर प्रभाग) कानपुर जो रक्षा मंत्रालय के अधीन पब्लिक सेक्टर उपक्रम है को उक्त अधिनियम के प्रवर्तन से 1 जुलाई 1982 से 30 जून 1983 तक जिसमें यह तारीख भी सम्मिलित है की एक वर्ष की अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

(1) उक्त कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है) ऐसी विवरणियाँ ऐसे प्ररूप में और ऐसी विनिष्टियों सहित दगा जो कर्मचारी राज्य बीमा (साधारण) विनियम 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी;

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

(1) धारा 44 की उपधारा (1) के अधीन उक्त अवधि की बाबत दी गई किसी विवरणी की विनिष्टियों को सत्यापित करने के प्रयोजनार्थ; या

(2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं; या

(3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा दिए गए उन फायदों को जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है तकव में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या

(4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान जब उक्त कारखाने के संबंध में उक्त अधिनियम के उपबन्ध प्रवृत्त थे ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधि-भोगाधीन किसी कारखाने स्थापन कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेख, बहियाँ और अन्य दस्तावेज ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या उन्हें ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अव्यवहित नियोजक को उसके अधिकर्ता या सेवक की ऐसे किसी व्यक्ति की जो ऐसे कारखाने स्थापन कार्यालय या अन्य परिसर में पाया जाए या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना;

(घ) ऐसे कारखाने स्थापन कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

[संख्या एस-38014/26/81-एच०आई०]

स्पष्टीकरण ज्ञापन

इस मामले में छूट के आवेदन पर कार्रवाई करने में कुछ समय लग गया था। इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3205.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 1559 dated the 31st March, 1982, the Central Government hereby exempts Messrs Hindustan Aeronautics Limited (Kanpur Division) Kanpur, a public sector undertaking under the Ministry of Defence from the operation of the said Act for a further period of one year with effect from the 1st July, 1982 upto and inclusive of the 30th June, 1983.

2. The above exemption is subject to the following conditions, namely :—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;

(2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or

- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
- (iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory ;

be employed to,—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or
- (c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/26/81-HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3206.—केंद्रीय सरकार कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और अधिसूचना संख्या का०आ० 1378 तारीख 25 मई 1982 के अनुक्रम में हिन्दुस्तान एण्टीबायटिक्स लिमिटेड पिम्परी, पुणे को उक्त अधिनियम के प्रवर्तन से एक जुलाई 1982 से 30 जून 1983 तक जिसमें यह तारीख भी सम्मिलित है की एक वर्ष की और अवधि के लिए छूट देती है।

2 पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

- (1) उक्त कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है) ऐसी विवरणियां ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी;

- (2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

- (1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को मत्यापित करने के प्रयोजनार्थ; या
- (2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं; या
- (3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा दिए गए उन फायदों को जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है नकद में और वस्तु रूप में पाने का हकदार बना हुआ है, या नहीं; या
- (4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान जब उक्त कारखाने के संबंध में उक्त अधिनियम के उपबन्ध प्रवृत्त थे ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था, या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा, —

- (क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या
- (ख) ऐसे प्रधान या अव्यवहित नियोजक के अधि-भोगाधीन किसी कारखाने स्थापन कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या उन्हें ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या
- (ग) प्रधान या अव्यवहित नियोजक को उसके अधिकर्ता या सेवक की ऐसी किसी व्यक्ति की जो ऐसे कारखाने स्थापन कार्यालय या अन्य परिसर में पाया जाए या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना;
- (घ) ऐसे कारखाने स्थापन कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर लेखाबही या अन्य

दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

[संख्या एस-38014/26/82-एच० आई०]

स्पष्टीकरण शपथ

इस मामले में छूट के आवदन पर कार्यवाई करने में कुछ समय लगा है इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3206.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification No. S.O. 1378 dated the 25th May, 1982 the Central Government hereby exempts the Hindustan Antibiotics Limited, Pimpri, Pune, from the operation of the said Act for a further period of one year from 1st July, 1982 upto and inclusive of the 30th June, 1983.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/26/82-H1]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3206.—केंद्रीय सरकार कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के माध्यम से धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०आ० 1301 तारीख 17 मार्च 1982 के अन्तर्गत में दामोदर बैली कारपोरेशन के (1) 132 के०बी० ग्रेड सब-स्टेशन कुमारघुवी (2) 132 के०बी० ग्रेड सब-स्टेशन, नई राय रामगढ़ और (3) दामोदर बैली कारपोरेशन सब-स्टेशन हावड़ा को उक्त अधिनियम के प्रवर्तन से 1 जुलाई, 1982 से 30 जून 1983 तक जिसमें यह तारीख भी सम्मिलित है की एक वर्ष की और अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

- (1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है), ऐसी विवरणियाँ, ऐसे प्रश्न में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी;
- (2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—
 - (1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणों की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ, या
 - (2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख, उक्त अवधि के लिए रखे गए थे या नहीं; या

(3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिफलस्वरूप इस अधिनियम के अधीन छूट दी जा रही है नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या

(4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में उक्त अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिससे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधि-भागाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से, संबंधित ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हें ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अव्यवहित नियोजक को, उसके अधिकर्ता या सेवक की, ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर, में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना;

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

[संख्या एम-38014/28/82-एच०आई०]

स्पष्टीकरण शीर्षक

इस मामले में छूट के आवेदन पर कार्रवाई करने में कुछ समय लग गया। इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3207.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 1301 dated the 17th March, 1982, the Central Government hereby exempts (1) 132 K.V. Grid sub-station, Kumar-dhubi (2) 132 K.V. Grid sub-station, Naisarai, Ramgarh and (3) Damodar Valley Corporation sub-section, Howrah belonging to the Damodar Valley Corporation from the operation of the said Act for a further period of one year with effect from the 1st July, 1982 upto and inclusive of the 30th June, 1983.

2. The above exemption is subject to the following conditions, namely :—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory;

he empowered to—

(a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/28/82-H1]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3208.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और भारत सरकार के अम संश्लेष की अधिसूचना संख्या का०आ० 1557, तारीख 31 मार्च, 1982 के अनुक्रम में मैसर्स हिंदुस्तान जिंक लिमिटेड, उदयपुर को, जो भारत सरकार का उद्यम है, उक्त अधिनियम के प्रवर्तन से 22 जून 1982 से 21 जून 1983 तक जिसमें यह तारीख भी सम्मिलित है को और अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात्:—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है), ऐसी विवरणियां, ऐसे प्ररूप में और ऐसी विनिर्दिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी ;

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

(1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विनिर्दिष्टियों को सत्यापित करने के प्रयोजनार्थ ; या

(2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख, उक्त अवधि के लिए रखे गए थे या नहीं ; या

(3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है, या नहीं ; या

(4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान जब उक्त कारखाने के संबंध में उक्त अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं ;

निम्नलिखित कार्य करने के लिए सशक्त होगा:—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त

निरीक्षक या अन्य पदधारी आवश्यक समझता है ; या

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधि-भागाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय में संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हें ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं ; या

(ग) प्रधान या अव्यवहित नियोजक को, उसके अधिकर्ता या सेवक की, ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर, में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना ;

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

[सं० एस-38014/40/82-एच०आई०]

स्पष्टीकरण ज्ञापन

इस मामले में छूट के आवेदन पर कार्रवाई करने में कुछ समय लग गया था। इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3208.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1949) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 1557 dated the 31st March, 1982, the Central Government hereby exempts Messrs Hindustan Zinc Limited, Udaipur, a Government of India Enterprise, from the operation of the said Act for a further period with effect from the 22nd June, 1982 upto and inclusive of the 21st June, 1983.

2. The above exemption is subject to the following conditions, namely:—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or

other official of the Corporation authorised in this behalf shall, for the purposes of—

- (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or
- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
- (iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory ;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or
- (c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/40/81-JH]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3209-केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948(1948 का 34) की धारा 91-क के साथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०आ० 1558, तारीख 31 मार्च, 1982 के अनुक्रम में नेशनल इस्टैट्स लिमिटेड, कलकत्ता को उक्त अधिनियम के प्रवर्तन से 1 जुलाई, 1982 से 30 जून, 1983 तक जिसमें यह तारीख भी सम्मिलित है की एक वर्ष की अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात्:—

- (1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त

अवधि कहा गया है), ऐसी विवरणियाँ, ऐसे प्ररूप में और ऐसी विधिष्ठितियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उमे उक्त अवधि की बाबत देनी थी :

- (2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन निगुक्त किया गया कोई निरीक्षक, या निगम का डम निमित्त प्राधिकृत कोई अन्य पदधारी—

- (1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी को विधिष्ठितियों को स्थापित करने के प्रयोजनार्थ ; या

- (2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख, उक्त अवधि के लिए रखे गए थे या नहीं ; या

- (3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा लिए गए उन फायदों को, जिसके प्रतिफलस्वरूप डम अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है, या नहीं ; या

- (4) यह अभिनिश्चित करने के प्रयोजनार्थ कि डम अवधि के दौरान, जब उक्त कारखाने के संबंध में उक्त अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं ;

निम्नलिखित कार्य करने के लिए मणकत होगा :—

- (क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उमे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है ; या

- (ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हें ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं ; या

(ग) प्रधान या अध्यक्षित नियोजक को, उसके अधिकारी या मेबर की, ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर, में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना :

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखावही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना ।

[संख्या एस-38014/45/82-एच०आई०]

स्पष्टीकरण भाषण

इस मामले में छूट के आवेदन पर कार्रवाई करने में कुछ समय लग गया था। इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। वह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने में किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3209.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 1558 dated the 31st March, 1982, the Central Government hereby exempts the National Instruments Limited, Calcutta from the operation of the said Act for a further period of one year with effect from 1st July, 1982 upto and inclusive of the 30th June, 1983.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
 - (iv) ascertaining whether any of the provisions of the said Act has been complied with during the

period when such provisions were in force in relation to the said factory ;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or
- (c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/45/82-HT]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3210.—केन्द्रीय सरकार का यह समाधान हो गया है कि डेक नोट प्रेस, देवास के कर्मचारी अथवा ऐसी प्रसुविधाएं प्राप्त कर रहे हैं जो कर्मचारी राज्या बीमा अधिनियम, 1948 (1948 का 34) के अधीन उपबंधित प्रसुविधाओं के सारतः समतुल्य हैं।

अतः अब उक्त अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 90 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०आ० 1848 तारीख 10 मई 1982 के अनुक्रम में केन्द्रीय सरकार कर्मचारी राज्य बीमा निगम से परामर्श करने के पश्चात् उपरोक्त कारखाने को उक्त अधिनियम के प्रवर्तन से एक अक्टूबर 1982 से 30 सितम्बर 1983 तक जिसमें यह तारीख भी सम्मिलित है की ओर अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात्:—

- (1) उक्त कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे, इसमें, इसके पश्चात् उक्त अवधि कहा गया है) ऐसी विवरणियां, ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी ;
- (2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई

निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

- (1) धारा 44 की उपधारा (1) के अधीन उक्त अवधि की बाबत दी गई किसी विवरणों की विशिष्टियों को स्थापित करने के प्रयोजनार्थ; या
- (2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं; या
- (3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिकलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है, या नहीं; या
- (4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में उक्त अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

- (क) प्रधान या अध्यक्षित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या
- (ख) ऐसे प्रधान या अध्यक्षित नियोजक के अधि-भोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हें ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या
- (ग) प्रधान या अध्यक्षित नियोजक को, उसके अधिकर्ता या सेवक की, ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह एक कर्मचारी है, परीक्षा करना ;

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उसमें उद्धरण लेना ।

[संख्या एस०-38014/51/81-एच०आई०]

स्पष्टीकरण स्थापन

इस मामले में छूट के आवेदन पर कार्रवाई करने में कुछ समय लग गया था इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट का भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा ।

S.O. 3210.—Whereas the Central Government is satisfied that the employees of the Bank Note Press, Dewas are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees State Insurance Act, 1948 (34 of 1948);

Now, Therefore, in exercise of the powers conferred by section 90 read with 91A of the said Act, and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 1848 dated the 10th May, 1982, the Central Government after consultation with the Employees' State Insurance Corporation hereby exempts the above mentioned factory from the operation of the said Act for a further period with effect from 1st October, 1982 upto and inclusive of the 30th September, 1983.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950.
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory establishment, office or other premises occupied by such principal or immediate emp-

employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

- (c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/51/81-HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का०आ० 3211.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 3146 तारीख 19 अगस्त, 1982 के अनुक्रम में भारत इलेक्ट्रॉनिक्स लि० गाजियाबाद जो रक्षा मंत्रालय के अधीन एक पब्लिक सेक्टर उपक्रम है, को उक्त अधिनियम के प्रवर्तन से एक जुलाई, 1982 से 30 जून, 1983 तक की और अवधि के लिए जिसमें यह तारीख भी सम्मिलित है, छूट देती है।

उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात्:-

- (1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधान दर्शित किये जायेंगे;
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधायें प्राप्त करते रहेंगे जिनको पाने के लिये वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अभिदायों के आधार पर हकदार हो जाते ;
- (3) छूट प्राप्त अवधि के लिये यदि कोई अभिदाय पहले ही संदत्त किये जा चुके हैं तो वे वापस नहीं किये जायेंगे ;
- (4) उक्त कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवृत्त था (जिसे, इसमें, इसके, पश्चात् उक्त अवधि

कहा गया है) ऐसी विवरणियां, ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी।

- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या इस निमित्त प्राधिकृत निगम का कोई अन्य पदधारी:-

- (1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनों के लिये, या

- (2) यह अभिनिश्चित करने के प्रयोजनों के लिये कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिये रखे गये थे या नहीं; या

- (3) यह अभिनिश्चित करने के प्रयोजनों के लिये कि कर्मचारी, नियोजक द्वारा दी गई उन प्रसुविधायों को, जो ऐसी प्रसुविधायें हैं जिनके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या

- (4) यह अभिनिश्चित करने के प्रयोजनों के लिये कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं।

निम्नलिखित कार्य करने के लिये सशक्त होगा :-

- (क) प्रधान नियोजक या अव्यवहित नियोजक से यह अपेक्षा करना कि वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या
- (ख) ऐसे प्रधान नियोजक या अव्यवहित नियोजक के अधिभाग में के कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके भारसाधक व्यक्ति से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसी लेखाबहियां और अन्य दस्तावेजों, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनको परीक्षा करने दे या उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या
- (ग) प्रधान नियोजक या अव्यवहित नियोजक की, उसके अधिकर्ता या सेवक की या ऐसे किसी

व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाये या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्ति-युक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या

- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गये किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल करना या उससे उद्धरण लेना।

[संख्या एस-38014/8/82-एच० आई०]

स्पष्टीकरण शापन

इस मामले में, छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के लिये आवेदन के संबंध में कार्य-वाही करने में समय लगा। तथापि यह प्रमाणित किया जाता है कि भूतलक्षी प्रभाव से छूट के दिये जाने के कारण किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3211.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 3146 dated the 19th August, 1982, the Central Government hereby exempts Bharat Electronics Limited, Ghaziabad, a public sector undertaking under the Ministry of Defence from the operation of the said Act for a further period of one year with effect from 1st July, 1982 upto, and inclusive of the 30th June, 1983.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) Verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the said Act has been complied with during the period

when such provisions were in force in relation to the said factory;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/8/82-HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

नई दिल्ली, 1 अगस्त, 1983

का० घा० 3212—आंध्र प्रदेश राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री अजीत सिंह के स्थान पर श्री० एन० राघव, सचिव, आन्ध्र प्रदेश सरकार को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिये नामनिर्दिष्ट किया है ;

अतः, अब, केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में भारत सरकार के भू० पू० श्रम मंत्रालय की अधिसूचना संख्या का० आ० 850 (अ), दिनांक 21 अक्टूबर 1980 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, “(राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)” शीर्षक के नीचे मव 8 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जायेगी, अर्थात्:—

“श्री एन० राघव,
सचिव, आन्ध्र प्रदेश सरकार,
श्रम, रोजगार, पंषण एवं तकनीकी शिक्षा विभाग,
हैदराबाद।”

[संख्या यू-16012/15/82-एच० आई०]

New Delhi, the 1st August, 1983

S.O. 3212.—Whereas the State Government of Andhra Pradesh has, in pursuance of clause (d) of section 4 of the

Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri N. Raghava, Secretary to the Government of Andhra Pradesh to represent that State on the Employees' State Insurance Corporation, in place of Shri Ajit Singh;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S. O. 850(E), dated the 21st October, 1980, namely :—

In the said notification, under the heading "(Nominated by the State Governments under clause (d) of section 4)", for the entry against Serial Number 8, the following entry shall be substituted, namely :—

"Shri N. Raghava,

Secretary to the Government of Andhra Pradesh,
Labour, Employment, Nutrition and Technical Education Deptt.,
Hyderabad."

[No. U-16012/15/82-H.I.]

नई दिल्ली, 2 अगस्त, 1983

का०आ० 3213—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आई० एस० एन० राजू, बिल्डिंग, सिविल तथा इलेक्ट्रिकल कन्ट्रक्टर, प्लॉट एम० आई० जी० 5, नार्थ एक्सटेन्शन, टी० पी० टी० कालोनी, सीताम्माधारा, विशाखा-पटनम-530013, आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किये जाने चाहियें,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस०-35019/251/83-पी०एफ० 2]

New Delhi, the 2nd August, 1983

S.O. 3213.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs I.S.N. Raju, Building Civil & Electrical Contractor, Plot M.I.G.-5, North Extension, T.P.T. Colony, Seetammadhara, Visakhapatnam-530013, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(251)/83-PF-II]

का०आ० 3214—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स साइको इलेक्ट्रॉनिक इन्डस्ट्रीज, 28, ए तथा बी, इलेक्ट्रॉनिक कम्प्लेक्स, कुशाईगुडा, हैदराबाद-500762, आन्ध्र

प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहियें,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती हैं।

[सं० एस-35019/250/83-पी०एफ० 2]

S.O. 3214.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mirco Electronic Industries, 28, A & B, Electronic Complex, Kusaiguda, Hyderabad, 500762, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(250)/83-PF. III]

का०आ० 3215—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स निर्मला स्पन पाइप एन्टरप्राइजिज, डाकघर आरेपल्ली, वाया देसाईपेट, जिला वारंगल-506006, आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहियें,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019/249/83-पी० एफ० 2]

S.O. 3215.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Nirmala Spun Pipe Enterprises, P. O. Arcpally, Via Desaipet, District Warangal-506006, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(249)/83-PF-II]

का०आ० 3216—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मेटल पोलिशर्स, 46, सौरीपालायम रोड, डाकघर सौरीपालायम कोयम्बटूर-28, तमिल नाडू राज्य नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहियें,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापना को लागू करती है।

[सं० एस-35019/248/83-पी०एफ० 2]

S.O. 3216.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Metal Polishers, 46, Sowripalayam Road, Sowripalayam P. O. Coimbatore-28, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019 (248)/83-PF-II]

का०आ० 3217—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रोग्रेसिव इंजीनियरिंग, बी-22, इन्डस्ट्रियल एस्टेट, रुडकेला -4, जिला सुन्दरगढ़, उड़ीसा नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019/247/83-पी०एफ० 2]

S.O. 3217.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Progressive Engineering, B-22, Industrial Estate, Rourkela-4, District Sundergarh, Orissa have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(247)/83-PF-II]

का०आ० 3218—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दि उड़ीसा पुलिस को-ऑपरेटिव सिन्डीकेट लिमिटेड, बक्शी बाजार कटक-1, उड़ीसा नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए एक अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019/244/83-पी०एफ० 2]

S.O. 3218.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Orissa Police Co-operative Syndicate Limited Buxi Bazar, Cuttack-1, Orissa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(244)/83-PF-II]

का०आ० 3219—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नीलगिरि पंचायत समिति ब्लैक-स्मिथ इन्डस्ट्रीज को-ऑपरेटिव सोसाइटी लिमिटेड, राज नीलगिरि, डाकघर-नीलगिरि जिला बालासोर, उड़ीसा नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019/243/83-पी०एफ० 2]

S.O. 3219.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Nilgiri Pan-chayat Samity Black-Smith Industrial Co-operative Society Ltd., At : Raj Nilgiri P.O. Nilgiri, Dist-Balasore, Orissa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(243)/83-PF-III]

का० आ० 3220—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जी० बी० जी० स्वामी, 75, फोर्ट, टी० पी० रोड, विशाखापटनम—530001, आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किये जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019/242/83-पी०एफ० 2]

S.O. 3220.—Whereas it appears to the Central Government that the Employer and the majority of the employees in relation to the establishment known as messrs G.V.V. Swamy, 75 Ft. T.P. Road, Visakhapatnam-530001, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952

(19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(242)/83-PF-II]

का० आ० 3221.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स विनायक इन्डस्ट्रीयल कॉर्पोरेशन, एल 3, इन्डस्ट्रियल एस्टेट, येय्यादी, मैंगलोर-575008, कर्नाटक राज्य नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किये जाने चाहिएं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/241/83-पी० एफ० 2]

S.O. 3221.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as M/s. Vinayaka Industrial Corporation, L-3 Industrial Estate, Yeyyadi, Mangalore-575008, Karnataka State, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019 (241)/83-PF-II]

का० आ० 3222.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स शंकर आयरन फाउंड्री, पुष्कर रोड, अजमेर नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किये जाने चाहिएं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019/240/83-पी० एफ० 2]

S.O. 3222.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shankar Iron Foundry, Pushkar Road, Ajmer, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(240)/83-PF-II]

का० आ० 3223.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वेस्टाज हाउज डिवीजन प्राईवेट लिमिटेड, ऐ-21, रिंग रोड, राजौरी गार्डन, नई दिल्ली-27 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किये जाने चाहिएं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019/239/83-पी० एफ०-2]

S.O. 3223.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vestas Hose Division Private Limited, A-21, Ring Road, Rajouri Garden, New Delhi-27 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019 (239)/83-PF-II]

का० आ० 3224.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एक्शन फार फूड प्रोडक्शन (ए एफ पी आर ओ) सी-52, नई दिल्ली साउथ एक्सटेंशन II, नई दिल्ली नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किये जाने चाहिएं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019/238/83-पी० एफ० 2]

S.O. 3224.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Action For Food Production (AFPRO) C-52, New Delhi, South Extension II, New Delhi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(238)/83-PF-II]

का० आ० 3225.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स फेमिना प्रोडक्ट्स, 248, पी० एच० रोड, अमी-नजीकरई, मद्रास-600029 तमिल नाडू जिल्ले में उनका 109 नेल्सन मालिकम रोड, मद्रास-29 स्थित प्रशासनिक कार्यालय और 34/94, काररील रोड, एरनाकुलम स्थित सेल्स डिपो भी है नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों

की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किये जाने चाहिये,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019/237/83-पी० एफ० II]

S.O. 3225.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Femina Products, 248, P.H. Road, Aminjikarai, Madras-600029, Tamil Nadu including its Administrative Office at 109, Nelson Manickam Road, Madras-29 and sales Depot at 34/94, Karshale Road, Ernakulam, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(237)/83-PF-II]

का० प्रा० 3226.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सॉर्नम टेनर्स, सं० 249, जी० एस० टी० रोड, क्रोमपेट, मद्रास-600044 तमिल नाडू नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019(236)/83-पी० एफ०-II]

S.O. 3226.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sornam Taners, No. 249, G.S.T. Road, Chromepet, Madras-600044, Tamil Nadu, have agreed that the provisions of the employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(236)/83-PF-II]

का० प्रा० 3227.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दि ग्रेजुएट्स को-ओपरेटिव सोसाइटी लिमिटेड, डा० एम० आर० पई बिल्डिंग (अपस्टेयर्स) नेहरू रोड, शिमोगा सिटी, कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952

(1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019(235)/83-पी० एफ० II]

S.O. 3227.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Graduates Co-operative Society Limited, Dr. M.R. Pai Building (Upstairs), Nehru Road, Shimoga City, Karnataka, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(235)/83-PF-II]

का० प्रा० 3228.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सुपरकिंग मैन्युफैक्चरर्स (टायर) प्राइवेट लिमिटेड, बी-14/3, जिल्मिल इन्डस्ट्रीयल एरिया, शाहदरा, दिल्ली-32 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019 (234)/83-पी० एफ०-II]

S.O. 3228.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Superking Manufactures (Tyre) Private Limited, B-14/3, Jhilmil Industrial Area, Shahdara, Delhi-32, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(234)/83-PF-II]

का० प्रा० 3229.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गुप्ता एण्ड कम्पनी मैन्युफैक्चरर्स आफ फोटोग्राफीक एसेसरीज, 530 दिल्ली गेट, शाहदरा, दिल्ली-32 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35019(233)/83-पी० एफ-II]

S.O. 3229.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Gupta & Company Manufacturers, of Photographic Accessories, 530 Delhi Gate, Shahadara, Delhi-32, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(233)/83-PF-II]

का० प्रा० 3230.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री जाला राम चारकोल, कम्प्रेस वर्क्स, 87/88, चकला फाईव बंगलो के सामने अन्धेरी कुडया रोड, जे० बी० नगर, बम्बई-59 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(45)/83-पी० एफ-II]

S.O. 3230.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shree Jalaram Charcoal Compress Works, 87/88, Chakala, Opposite Five Bungalow, Andheri Kuria Road, J.B. Nagar, Bombay-59 have agreed that the provisions of the employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(45)/83-PF-II]

का० प्रा० 3231.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हाइड्रोलिक मशीन्स एन्ड स्पेयर्स (एच० एम०) डी-5, नन्द धाम, इण्डस्ट्रियल एस्टेट, बम्बई-400059 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(44)/83-पी० एफ०-II]

S.O. 3231.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hydraulic Machines and Spares (HM) D-5, Nand-Dham Industrial Estate, Bombay-400059, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(44)83-PF-II]

का० प्रा० 3232.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भारत इन्सुलेटिंग कारपोरेशन, सी-6, नन्द धाम इण्डस्ट्रियल एस्टेट, माहेशी रोड, मारोल, बम्बई-59 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(43)/83-पी० एफ०-II]

S.O. 3232.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bharat Insulating Corporation, C-6, Nand Dham Industrial Estate, Maroshi Road, Marol, Bombay-59, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(43)/83-PF-II]

का० प्रा० 3233.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री सिद्धि-विनायक गणपती टेंपल ट्रस्ट, एस० के० बोल मार्ग, बम्बई-28 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(42)/83-पी० एफ०-II]

S.O. 3233.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shree Siddhi-vinayak Ganapati Temple Trust, S.K. Bole Marg, Bombay-28, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(42)/83-PF-II]

का० ग्रा० 3234.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अजय ओफ़सेट प्रिन्टर्स, 102, धनराज इंडिस्ट्रियल एस्टेट, सन्मिल रोड, लोवर पैरल, बम्बई-13 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं.

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(41)/83-पी०एफ०-II]

S.O. 3234.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ajay Offset Printers, 102, Dhanraj Industrial Estate, Sunmill Road, Lower Parel, Bombay-13, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(41)/83-PF-II]

का० ग्रा० 3235.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अवासी कोओपरेटिव बैंक लिमिटेड, 53, हाजी महल, मोहमद अली रोड, बम्बई-400003 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं.

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(40)/83-पी०एफ०-II]

S.O. 3235.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Awami Co-operative Bank Limited, 53, Haji Mahal, Mohamedali Road, Bombay-400003, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provision of the said Act to the said establishment.

[No. S-35018(40)/83-PF-II]

का० ग्रा० 3236.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स फोरवेज ट्रैवलज लिमिटेड, 8 जुहु रोड, बम्बई-49 और 3, स्लैडियम हाउस, वी०एम्० रोड, बम्बई-20 पर स्थित रजिस्टर्ड आफिस नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं.

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(39)/83-पी०एफ०-II]

S.O. 3236.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Fourways Travels Private Limited 8, Juhu Road, Bombay-49 including its Regd. Office at 3, Sladium House, Veer Naraiman Road, Bombay-20, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(39)/83-PF-II]

का० ग्रा० 3237.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गोगरी रोड लाईन्स, 2/158, गोगरी निवास, एरी रोड, गोरेगांव, बम्बई-400062 एवम् प्रधान कार्यालय, 117 सामुल स्ट्रीट निम्न खोजा जमात खान, बम्बई-400009 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिएं.

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(38)/83-पी०एफ०-II]

S.O. 3237.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Gorgi Road Lines, 2/158, Gogri Niwas Aarey Road, Goregaon, Bombay-400062 including its Head Office at 117, Samuel Street, Near Khoja Jamathana, Bombay-400009, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(38)/83-PF-II]

का० प्र० 3238.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रेम आर्टो इंजीनियरिंग वर्क्स, घाटकोपर, बम्बई-400086 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(37)/83-पी०एफ०-II]

S.O. 3238.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Prem Auto Engineering Works, Ghatkopar, Bombay-86, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(37)/83-PF-II]

का० प्र० 3239.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एफ० एम० पी० इंजिनियरिंग प्राइवेट लिमिटेड, 'बख्तावर' 11वीं मंजिल, नारिमन प्वाइंट, बम्बई-400021 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(35)/83-पी० एफ०-II]

S.O. 3239.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs F.M.P. Engineering Pvt. Ltd., "BAKHTAWAR 11th Floor, Nariman Point, Bombay-400021, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(36)/83-PF-II]

का० प्र० 3240.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स फालकन बाकन, 18 नन्द दीप इंडिस्ट्रियल इस्टेट कोनडोवीता रोड, अन्धेरी (ईस्ट) बम्बई-400059 नामक

स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(35)/83-पी०एफ०-II]

S.O. 3240.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Falcon Box, 18, Nand-Deep Industrial Estate, Kondivitta Road, Andheri (East), Bombay-400059, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(35)/83-PF-II]

का० प्र० 3241.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कार्पे आर्टो मोटिवज, डा० कोस्टा पेरिराया बिल्डिंग, नीयर म्युनिस्पल गार्डन, मोंगी-गोवा, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35018(34)/83-पी० एफ०-II]

S.O. 3241.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Karpe Automotives, Dr. Costa Pereira Building, Near Municipal Garden, Margo, Goa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018(34)/83-PF-II]

का० प्र० 3242.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एच० बी० प्रिवीयमस एंड कम्पनी, फ्लैट्स 1 बी एंड 1 सी, 'मौनोलिसा' 17 कैमेक स्ट्रीट, कलकत्ता-17 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम,

1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(60)/83-पी०एफ०-II]

S.O. 3242.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs H.V. Williams and Company, Flats 1-B and 1-C "Monalisa" 17, Camac Street, Calcutta-700017 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(60)/83-PF-II]

का० आ० 3243.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स के० पी० एंड कम्पनी (एजेन्सीज) लिमिटेड, 25-बी, पार्क स्ट्रीट, कलकत्ता-700016 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(59)/83-पी० एफ०-II]

S.O. 3243.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kaypee and Company (Agencies) Limited, 25-B, Park Street Calcutta-700016 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(59)/83-PF-II]

का० आ० 3244.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सिल्लिगुडी टी० ओकसन कमेटी, माला गुडी प्रधान नगर, सिल्लिगुडी-734403 डीस्ट्रिक्ट दार्जिलिंग (वेस्ट बंगाल) नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(58)/83-पी०एफ०-II]

S.O. 3244.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Siliguri Tea Auction Committee, Mallaguri P.O. Pradhannagar, Siliguri-734403 District Darjeeling (West Bengal) have agreed that the provision of the Employees' Provident Funds and Miscellaneous Provision Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(58)/83-PF-II]

का० आ० 3245.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मिशान्ती कन्सल्टेंसी सर्विसेज प्राईवेट लिमिटेड, "शान्तिकेतन" 8, कैमक स्ट्रीट, पंचवी मंजिल, कमरा नं० 11, कलकत्ता-700017 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(57)/83-पी० एफ०-II]

S.O. 3245.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mishanti Consultancy Services Private Limited "Santniketan" 8 Camac Street, 5th Floor-Room-11, Calcutta-700017 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(57)/83-PF-II]

का० आ० 3246.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रिहैबिलिटेशन सेन्टर फार चिल्ड्रन, 59, मोतीलाल गुप्ता रोड, बारिशा, कलकत्ता-700008 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(56) 83-पी० एफ० -II]

S.O. 3246.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rehabilitation Centres for Children, 59, Motilal Gupta Road, Barisha, Calcutta-700008, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(56)/83-PF.II]

का० आ० 3247.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स युनाइटेड स्टील बियरिंग कम्पनी, 5 बी, क्लाइव घाट स्ट्रीट (फर्स्ट फ्लोर) कलकत्ता-700001 और 16, डम डम रोड, कलकत्ता-700028 में इसका गोदाम नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(55)/83- पी० एफ०-II]

S.O. 3247.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs United Steel Bearing Company, 5B, Clive Ghat Street (First Floor) Calcutta-700001 and its Godown at 16, Dam Dam Road, Calcutta-700028, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(55)/83-PF.II]

का० आ० 3248.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रवि आटो लिमिटेड (रजि० आफिस) 103, पार्क स्ट्रीट, कलकत्ता-700016 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(54)/83- पी० एफ०-II]

S.O.3248.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ravi Auto Limited (Regd. Office) 103, Park Street, Calcutta-700016, have agreed

that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(54)/83-PF.II]

का० आ० 3249.— केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मीडियन मार्केटिंग प्राइवेट लि०, ई-2, गिल्लेंडर हाउस, 8, नेताजी सुभाष रोड, कलकत्ता-700001 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(53)/83-पी० एफ०-II]

S.O. 3249.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Median Marketing Private Limited, E-2, Gillander House, 8, Netaji Subhas Road, Calcutta-700001, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(53)/83-PF.II]

का० आ० 3250.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एंसिड इंडिया प्राइवेट लिमिटेड (रजि० आफिस) 1/8, प्रिंस गुलाम मोहमद रोड, कलकत्ता-700026 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(52)/83-पी० एफ० II]

S.O. 3250.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Etscheid India Private Limited, (Registered Office) 1/8, Prince Golum Md. Road, Calcutta-700026, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(52)/83-PF.II]

का० आ० 3251—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जी० रंजान, 23, पार्क साईड रोड, कलकत्ता-700026 एवं इसका रजि० ऑफिस 16, बेली गंज प्लेस, कलकत्ता-700019 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या स-35017/ 51 /83-पी.एफ.-II]

S.O.3251.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs G. Ranjan, 23, Park Side Road, Calcutta-700026 and its Registered Office at 16, Ballygunge Place, Calcutta-700019, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(51)/83-P.F.II]

का. आ. 3252.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वरस्टाइल फैब्री कोटरस (प्राइवेट) लि., 71/1, कानल सर्कुलर रोड, कलकत्ता-700055 और 4, हार्ट फोर्ड लेन कलकत्ता-700016 में इसका हेड ऑफिस नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017 (50)/83-पी. एफ.-2]

S.O.3252.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Versatile Fabricators (Private) Limited, 71/1, Canal Circular Road, Calcutta-700055 and its Head Office at 4, Hart Ford Lane, Calcutta-700016 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(50)/83-PF.II]

का० आ० 3253.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स डेबेसिस प्रेस, 71, कैलास बोस स्ट्रीट, कलकत्ता-6 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(49) 83- पी० एफ० II]

S.O. 3253.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Debasis Press, 71, Kailash Bose Street, Calcutta-6, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(49)/83-PF.II]

का० आ० 3254.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एसोसिएटेड इन्डस्ट्रियल इन्जीनियर्स 12/2/1/ पान एवन्यू, कलकत्ता-19 और इसकी फैक्ट्री बेहले इन्डस्ट्रियल इस्टेट, कलकत्ता-60 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[संख्या एस-35017(48)/83-पी० एफ० II]

S.O. 3254.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Associated Industrial Engineers, 12/2/1, Palm Avenue, Calcutta-19 including its Factory at Behala Industrial Estate, Calcutta-60 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(48)/83-PF.II]

का० आ० 3255.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मैनेजमेंट एण्ड कम्प्यूटर कंसलटेंट्स,

प्लॉट 2 ई 12 लोडन स्ट्रीट, कलकत्ता-700017 नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[संख्या एम- 35017 (47) 83-पी० एफ० -ii]

S.O. 3255.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Management and Computer Consultants, Flat 2-E, 12, Loudon Street, Calcutta-700017, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(47)/83-P.F.II]

का० आ० 3256 .—मैसर्स भारत विजय मिल्स लि० सेवन के पास, गरनाला, कलोल (एन० जी०) 38272- (गुजरात/313), अहमदाबाद, (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञेय हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इसमें उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त गुजरात को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम की संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप में वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों के अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशित को प्रतिरकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त गुजरात के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना वृत्तिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं,

या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति में कम हो जाते हैं ; तो यह रद्द की जा सकती है ।

10. यदि किसी कारणवश, नियोजक उस नियत तरीके के भीतर, जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो, छूट रद्द की जा सकती है ।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा ।

12. उक्त स्थापन के सम्बन्ध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नामनिर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा ।

[संख्या एस-35014/135/83-पी० एफ० 2]

ए० के० भट्टराई, अवर सचिव

New Delhi, the 2nd August, 1983

S.O. 3256.—Whereas Messrs The Bharat Vijay Mills Ltd. Near Sewan, Garmala, Kalol (N. G.) 382721, (GJ/313), Ahmedabad, (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat, maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employee shall arrange to enhance the benefits available to the employers under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

[No. S. 35014(135)/83-PF. II]

A. K. BHATTARAI, Under Secy.